



## ***City of Gaithersburg***

31 South Summit Avenue  
Gaithersburg, Maryland 20877

### Planning Commission Regular Session Agenda City Hall - Council Chambers Wednesday, July 24, 2013, 7:30 PM

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#### **I. CALL TO ORDER**

#### **II. APPROVAL OF MINUTES**

- A. Regular Session held May 15, 2013

#### **III. RECORD PLATS**

#### **IV. CONSENT ITEMS**

#### **V. RECOMMENDATION TO MAYOR AND CITY COUNCIL**

- A. Z-2730-2013: Summit Rezoning  
I-3 Zone to MXD Zone  
101 Orchard Ridge Drive  
Recommendation to Mayor & City Council

#### **VI. SITE PLANS**

- A. SP-0942-2012: Flower Shop  
CD Zone  
311 S. Frederick Ave.  
Parking Lot and 84 Square Foot Addition  
Final Site Plan Approval
- B. AFP-2855-2013 - Parklands Custom Architecture  
MXD Zone  
116 Liriope Place, 400 Blue Flax Place, and 401 Hydrangea Place  
Custom Architecture for Three Single Family Lots  
Amendment to Final Plan

#### **VII. DISCUSSION**

- A. AFP-11-020

MXD Zone  
Vistas at Quince Orchard Park  
Compliance with Condition #3

**VIII. FROM THE COMMISSION**

**IX. FROM STAFF**

**X. ADJOURNMENT**



To confirm accessibility accommodations, please contact the Department of Planning and Code Administration at 301-258-6330.

Please turn off all cellular phones and pagers prior to the meeting. Hand held signs brought may not be displayed in a manner which disrupts the meeting, blocks the view of spectators or cameras and poses a safety concern [e.g., signs mounted on stakes]. Your cooperation is appreciated.

All revised site plans to be reviewed by the Planning Commission will be due twelve (12) days before the meeting. All plans, except for **Consent Agenda** items, will require the applicant to post sign(s) of the hearing date on the property under consideration at least nine (9) days before the meeting. Planning staff will provide all signs, which are to be picked up at City Hall. All information to be submitted for Planning Commission meetings will be due **no later than 12:00 PM on the Friday** before the meeting. Materials associated with any agenda item may be reviewed at the offices of the Planning and Code Administration during regular business hours.

The Planning Commission normally will not begin consideration of a new site plan after 10:30 PM, and the Chairman will announce anything to the contrary. The Alternate does not participate on regulatory items, unless a Commissioner is absent.

This electronic version of materials related to applications before the City of Gaithersburg Planning Commission is provided as a courtesy to interested parties. This is not the official record of matters before the Planning Commission and the City of Gaithersburg cannot guarantee the accuracy of electronic transmissions. Click here to view the [City of Gaithersburg Website Disclosure Statement](#). Materials provided electronically are provided as submitted by applicants; the City of Gaithersburg is not responsible for materials submitted by applicants. All materials included in this transmission are subject to change. The official record of any matter before the Planning Commission is available for inspection by the public during regular business hours at City Hall, 31 South Summit Avenue, Gaithersburg, Maryland 20877.

## ANNOUNCEMENTS

**MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION  
MAY 15, 2013**

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Chair John Bauer called the meeting to order at 7:30 p.m. Present at the meeting were Vice-Chair Lloyd Kaufman, and Commissioner Danny Winborne, Community Planning Director Trudy Schwarz, Planner Rob Robinson and Recording Secretary Linda Kobylski.

**I. CONSENT**

AFP-2523-2013 -- Seneca Center II, LLC E-1 Zone  
18753 North Frederick Avenue #200  
Change of Use for Martial Arts Academy  
Parking Calculation Revision  
AMENDMENT TO FINAL PLAN REVIEW

Commissioner Winborne moved, seconded by Vice-Chair Kaufman,  
to APPROVE the CONSENT agenda.

Vote: 3-0

**II. RECOMMENDATION TO MAYOR AND CITY COUNCIL**

SDP-1842-2013 -- Application for schematic development plan approval in accordance with Annexation Petition X-182 and Sketch Plan Z-315, located in the Crown Property Neighborhood 1 (Outlot B, Block C), in Gaithersburg, Maryland. The subject application proposes the conversion of a multi-family building to 70 two-over-two condominium units. The subject property site is bordered by Copley Place and Diamondback Drive.

Planner Robinson located the site and gave an overview of the issues addressed during the public hearing held on April 15, 2013. Topics included the conversion, size and purpose of pocket green, elevations, connectivity and adequacy of parking. Discussion also included concern over emergency ingress/egress into and out of the site and explained the applicant's proposed amendment to the plan in response to these concerns. He also outlined the five proposed options in response to the issue of ingress/egress and indicated the applicant's preference of a non-paved access road off of Copley Place and into the neighborhood. This option would not require any loss of units or on street parking. He stated that staff prefers option two which would result in the loss of one unit but creates a true entrance and exit.

Chair Bauer expressed concerns with Option 1 (one) as it results in a dead end street, especially when guidelines encourage multiple connectivity and grids. He also voiced concerns that the access road would be used by non-emergency vehicles for parking, in essence blocking access for emergency vehicles. Chair Bauer stated he would favor a more permanent drive.

Vice-Chair Kaufman asked who would be responsible for maintaining a grasscrete surface road to which Planner Robinson responded the Homeowners Association. Vice-Chair Kaufman stated his concerns with maintenance of grasscrete, particularly when there is snowfall accumulation.

Chair Bauer again voiced his concern with connectivity. He also stated it is not yet a final plan, if the number of units must change, or a shift in forest conservation delineation must occur to make it work, the applicant should, stating that at the Schematic Development Plan stage they should make the connectivity work and it should be the recommendation.

*Applicant Karl Alt, Westbrook Properties*, explained that Option 1(A), which would not extend Copley Place, would result in the loss of two units. He also stated Option 2 (two), with an extension of Copley Place results in the loss of two units, an increase in impervious surface, affects forest conservation and a loss of on-street parking. Mr. Alt also stated Option 3 (three) was complicated by a major grade difference.

Vice-Chair Kaufman responded there was a surplus in parking and that two of the three options being considered result in the loss of one lot, two units.

Planner Robinson explained that options that include exits onto Decoverly Drive were not viable from an engineering perspective, and would direct residents away from Crown and links to highways and back into the residential neighborhoods in the County.

Chair Bauer asked if there were engineering or legal restrictions that would prevent Copley Place from being extended enough not to affect the number of units and turn back into the inside road to which Planner Robinson responded anything could be overcome with engineering. Chair Bauer indicated he did not support the grasscrete solution.

Vice-Chair Kaufman voiced concerns over customers exiting the bank onto Copley Place being directed back into the neighborhood. Chair Bauer indicated he did not believe it would be a problem and Commissioner Winborne stated signage could provide a remedy.

Chair Bauer reiterated that at this stage of the project, the plan should not result in a dead end street and the connectivity needs to be reasonable. Vice-Chair Kaufman concurred, recommending that staff work with the applicant to create a viable option that is acceptable to both parties. Commissioner Winborne suggested a possible hybrid of Option 2 that would extend Copley Place.

Chair Bauer, Vice-Chair Kaufman and Commissioner Winborne concurred the record should reflect Option 2 should be considered with possible modifications; the Commission is not adverse to the plan encroaching a bit on the existing outlot to maintain the unit count; and that the Commission would not support the grasscrete option.

Commissioner Kaufman moved, seconded by Commissioner Winborne to recommend SDP-1842-2013 – for APPROVAL to the City Council with the following two conditions:

1. Applicant is to work with staff to refine design details of the secondary access prior to final plan approval in order to better promote circulation and prevent dead ends; and
2. Applicant is to amend the comprehensive Forest Conservation Plan for approval prior to submission of any Neighborhood 3 planning applications.

Vote: 3-0

III. FROM THE COMMISSIONCommissioner Winborne

Commented on the upcoming Book Festival scheduled for this Saturday, May 18<sup>th</sup> and encouraged all to attend.

IV. FROM STAFFCommunity Planning Director Schwarz

1. Commented on her participation in a recent Work Session with the Mayor and City Council concerning the re-design of Constitution Gardens. She gave a brief overview of the project and gave a Power Point presentation.
2. Stated the Commission's meetings in June would follow the regular calendar and a joint public hearing with the City Council is scheduled for July 1, 2013 regarding a text amendment for the Board of Appeals.

V. ADJOURNMENT

There being no further business to come before this session, the meeting was duly adjourned at 8:21 p.m.

Respectfully submitted,

Linda Kobylski  
Recording Secretary

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## STAFF COMMENTS FOR PLANNING COMMISSION

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**MEETING DATE:** July 24, 2013

**SUBJECT:** Z-2730-2013

**TITLE:** Summit Parcel Rezoning

**REQUEST:** **RECOMMENDATION TO M&CC**

**ADDRESS:** 101 Orchard Ridge Drive

**APPLICANT:** MedImmune LLC

**STAFF PERSON:** Rob Robinson, Lead, Long Range Planning

**Enclosures:**

Staff Analysis  
Index of Memorandum and Exhibits (In **Bold**)

**See attached Staff Analysis**

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**MEMORANDUM TO:** Planning Commission

**FROM:** Rob Robinson, Lead, Long Range Planning

**DATE:** July 15, 2013

**SUBJECT:** Staff Analysis: Application Z-2730-2013;  
Summit Parcel Rezoning: Medimmune

**APPLICANT/OWNER**

MedImmune LLC  
One Medimmune Way  
Gaithersburg, MD 20878

**TAX MAP REFERENCE:**

Tax Map: FS13

**TAX ACCOUNT NUMBER:**

Parcel N295 – ID #09-02544207

**REQUEST**

MedImmune LLC has submitted Zoning Map Amendment application Z-2730-2013. This plan, in accordance with the approved and amended X-129 annexation agreement and associated Sketch Plan, proposes rezoning 8.42 acres of land from the I-3 (Industrial and Office Park) Zone to the MXD (Mixed Use Development) Zone. The subject property is located at 101 Orchard Ridge Drive within the Medimmune campus.





## **PROJECT BACKGROUND<sup>1</sup>**

### **Sixth X-129 Annexation Agreement:**

Medimmune, beginning in 2002, began purchasing the parcels comprising the Quince Orchard Corporate Park. With all the parcels under ownership, (62.6 acres) Medimmune explored options with the City to further expand through an additional X-129 Amendment. The 6<sup>th</sup> Amendment was approved March 8, 2013. The amendment revised the density of development allowed on the MedImmune properties; dedicated new City parkland; and included transportation and community improvements among other details.

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<sup>1</sup> Reference Exhibit 15: Preliminary Background Report for additional background information including Zoning & Site Plan History.



The revised density calculations removed the existing square foot limitations and instead imposed the density permitted under the MXD zone in effect at the time of the Amendment or a floor area ratio (FAR) of 0.75. In calculating the new allowable density, the acreage of the subject property was included. Sections 5 and 8 of the 6<sup>th</sup> Amendment concern the subject Z-2730-2013 application<sup>2</sup>.

Section 5 states:

“Right to Develop MedImmune Properties. The City agrees that, subject to compliance with applicable laws and regulations, MedImmune has the right to develop the MedImmune Properties in substantial conformance with this Amendment. The concept “bubble plan” attached hereto as Exhibit A shall constitute an approved sketch plan for the MedImmune Properties...”



Section 8 states:

“Rezoning of Summit Property. MedImmune shall seek to rezone the Summit Property from the current I-3 Zone to the MXD Zone prior to or concurrent with any development application submitted for density greater than the currently permitted 1.95 million square feet. The City acknowledges that MXD zoning of the Summit Property is in conformance with the Master Plan and, subject to compliance with the provisions of Chapter 24 of the City Code, is an appropriate zoning classification of the Property. The City further agrees that the density and intensity of development calculations under City Code Section 24-

<sup>2</sup> Exhibit 8

160D.4 related to any subsequent MedImmune development plan will presume successful rezoning of the Summit Property. The City acknowledges that the Summit Property satisfies the MXD Zone development standards and that no further dedications, requirements, or compliance with development standards are necessary to accomplish the rezoning."

While no development applications have been submitted nor are planned in the near term, Medimmune chose to submit the required zoning map amendment per Section 8 above on May 24, 2013. The Z-2730-2013 application review and approval will be governed by both the 6<sup>th</sup> X-129 Amendment and the requirements of the City Code.

A joint public hearing on Z-2730-2013 was held July 1, 2013<sup>3</sup>. The Applicant gave a brief presentation outlining details of the approved sketch plan and the applicable terms of the 6<sup>th</sup> X-129 Amendment. There were no questions from either the Council or Commission and there was no public testimony. The Planning Commission's record closed at 5PM Monday July 15. There were no further comments entered into the record.

## **STAFF FINDINGS ANALYSIS AND RECOMMENDATIONS**

### **Z-2730-2013**

#### **FINDINGS:**

Approval of Z-2730-2013, by the City Council is dependent upon the findings required under § 24-160D.10(a) of the City Code. Of note, the terms of Section 8 of the 6<sup>th</sup> Amendment to the X-129 Agreement acknowledge that MXD zoning is appropriate for the subject property. Further, as defined in Section 5 above, Exhibit A is an approved Sketch Plan including the development rights of the subject property. As such, a separate sketch plan was not required and has not been submitted for review. Staff provides the following required findings and justifications for a City Council approval of application Z-2730-2013 to affirm the terms of 6<sup>th</sup> Amendment:

1) The application meets or accomplishes the purposes, objectives, and minimum standards and requirements of the zone

*Sec. 24-160D.2. Minimum location and development requirements:*

*(a) Master plan. No land shall be classified in the Mixed Use Development Zone unless the land is within an area for which there is an approved and adopted master plan which recommends mixed use development for the land which is the subject of the application, or unless the proposed development otherwise satisfies the purposes and objectives of the MXD Zone. Approval of the MXD Zone for land which is not recommended for this zone in an approved master plan shall require the affirmative vote of four (4) members of the city council.*

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<sup>3</sup> Exhibit 17

The City's 1997 Master Plan recommends the Property as industrial-research-office in the I-3 zone; however, this recommendation pre-dates the development of the MedImmune campus and the subsequent 6<sup>th</sup> Amendment which states, "The City acknowledges that MXD zoning of the Summit Property is in conformance with the Master Plan and, subject to compliance with the provisions of Chapter 24 of the City Code, is an appropriate zoning classification of the Property."

*(b) Minimum area. No land shall be classified in the Mixed Use Development Zone unless it contains a minimum of ten (10) acres. Parcels or tracts less than the minimum acreage may be permitted if they are contiguous to an existing MXD zoned area and may be harmoniously integrated into the MXD area, consistent with the objectives and purposes of this zone. Such parcels are not required to contain multiple uses but should contribute to a multi-use development and are subject to the provisions of 24-160D.9(a)(1).*

The subject property is an I-3 zoned parcel surrounded entirely by properties classified in the MXD zone. This parcel will contribute to the greater Quince Orchard Park and specifically to the MedImmune Campus development vision set forth in the approved sketch plan.

*(c) Location. Such land shall be located adjacent to and readily accessible from existing or planned highways that are in an approved construction program and are adequate to service the proposed development. It is intended that adequate access be available to such sites so that traffic does not have an adverse impact on the surrounding area or cause internal circulation or safety problems.*

The subject property is currently fully constructed and accessible from both MD 124, Quince Orchard Road and from MD 119, Great Seneca Highway by way of Orchard Ridge Drive.

*(d) Public water and sewer. No development shall be permitted unless served by public water and sewer.*

This is a developed parcel and is currently served by both water and sewer.

*(e) Signage. Signage shall be coordinated between adjoining uses and be thematic in approach, in accord with the purposes of this zone and overall character of the surrounding area.*

Signage will be evaluated at such time as a redevelopment application is submitted

*(f) Frontage on public streets. Anything to the contrary notwithstanding in any regulation in this Code, lots in this zone shall not be required to have direct access to a public street provided that such condition will promote the creation of affordable housing, or will be designed in such a way as to foster the purposes and objectives of this zone, provided that satisfactory access to a public street is provided over private rights-of-way.*

The subject property has frontage on Quince Orchard Road, Orchard Ridge Drive, and Twin Lakes Drive.

2) The application is in accord with recommendations in the applicable master plan for the area and is consistent with any special conditions or requirements contained in said master plan; and

The City's 1997 Master Plan recommends the Property as industrial-research-office in the I-3 zone; however, this recommendation pre-dates the development of the MedImmune campus and the subsequent 6<sup>th</sup> amendment which states, "The City acknowledges that MXD zoning of the Summit Property is in conformance with the Master Plan and, subject to compliance with the provisions of Chapter 24 of the City Code, is an appropriate zoning classification of the Property."

3) The application and sketch plan will be internally and externally compatible and harmonious with existing and planned land uses in the MXD zoned areas and adjacent areas.

The subject property has been developed for over 25 years. The existing development and uses are compatible with the existing and proposed surrounding uses and allowed under the MXD Zone. The sketch plan approved under the 6<sup>th</sup> amendment, including the subject property, creates a holistic integrated vision for the MedImmune Campus.

### **STAFF RECOMMENDATION**

Staff is supportive of the subject application. The proposed rezoning will facilitate the future growth of MedImmune and is in conformance with the terms and conditions agreed to in the 6<sup>th</sup> Amendment to the X-129 Annexation Agreement.

Staff recommends that the Planning Commission, upon the findings presented herein, recommend approval of Z-2730-2013 to the Mayor & City Council.

Index of Memoranda  
Z-2730-2013 Summit Rezoning

JPH July 1, 2013

Exhibit #:

1	Z-2730-2013 Application
2	Application Cover Letter
<b>3</b>	<b>Applicant Justification Statement</b>
4	Metes and Bounds Description
5	Record Plat
6	Applicant list of adjoining property owners
7	Existing Conditions Plan
<b>8</b>	<b>Excerpts: Sixth Amendment X-129 Annexation Agreement</b>
9	E-mail re: Quince Orchard Park Notification
10	Z-2730-2013 Joint Public Hearing Notice
11	Z-2730-2013 Joint Public Hearing Notification Labels and Mailings
12	Approved S-760
13	Gazette Legal Ad Proof and Request
14	Z-2730-2013 Joint Public Hearing Cover Sheet
<b>15</b>	<b>Z-2730-2013 Preliminary Background Report</b>
<b>16</b>	<b>Applicant's Presentation</b>
<b>17</b>	<b>Minutes July 1, 2013 City Council Meeting</b>

## **Statement in Support of Zoning Map Amendment Application for the Property located at 101 Orchard Ridge Drive**

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MedImmune, LLC submits this statement in support of its Zoning Map Amendment Application for the Property located at 101 Orchard Ridge Drive in the City of Gaithersburg on the MedImmune campus. The Application requests rezoning from the existing **I-3 (Industrial and Office Park) Zone** to the **MXD (Mixed Use Development) Zone**. The Property that is the subject of this Application totals approximately 8.4 acres in size, is developed with one existing building approximately 102,000 square feet in size used for research and office, and is further identified as Lot 5, Quince Orchard Corporate Center (Parcel N295), Plat Number 15527 (Parcel I.D. Number 09-201-02544207). At this time, MedImmune does not propose any additional development on the Property in connection with this rezoning request.

MedImmune discussed this rezoning request with the City during the recent approval of the Sixth Amendment to Annexation Agreement (X-129) dated March 8, 2013. MedImmune and the City officials all agreed that rezoning of the Property should occur and made sense under the circumstances. More specifically, Section 8 of the Sixth Amendment requires that the rezoning of the Property occur prior to achieving the total density on the MedImmune campus as contemplated by the Sixth Amendment. Although MedImmune has no immediate plans to expand the campus at this time, it would like to accomplish the rezoning now to enable future campus development in the future as quickly and efficiently as possible.

Section 24-160D.10 of the City Zoning Ordinance requires three findings for approval of MXD zoning as set forth in the following three sections:

### **I. Conformance with the Purposes and Development Standards of the MXD Zone**

The rezoning of the Property will comply with the purposes and development standards of the MXD zone. Currently, the Property is an island of I-3 zoned property surrounded entirely by properties classified in the MXD zone. The MXD rezoning will allow the Property to be zoned consistently with the other surrounding properties. The rezoning of the Property also will allow more design flexibility and enable comprehensive planning for future development on the MedImmune campus. Rezoning to MXD will allow the Property to be redeveloped with other portions of the MedImmune campus in an efficient way that will assure compatibility and a superior quality of development.

The Property meets the minimum area requirement for the MXD zone. Adequate access to the site is provided, and the Property is currently served by public water and sewer and other utilities. Adequate public facilities and off-street parking exist to serve the existing Property and

development. The use is permitted under the MXD zone and is compatible with the surrounding uses. The Property meets the density limitations of the MXD zone, setback requirements, and other development standards.

In Section 8 of the Sixth Amendment to Annexation Agreement, the City acknowledges that the Property satisfies the MXD zone development standards and that no further dedications, requirements, or compliance with development standards are necessary to accomplish the rezoning.

## **II. Conformance with the Master Plan**

The City's 1997 Master Plan recommends retaining the Property as industrial-research-office in the I-3 zone. This recommendation is 16 years old and pre-dates the development of the MedImmune campus. MedImmune did not acquire the Property as part of its campus until relatively recently. Although the Property is not specifically recommended for MXD zoning in the master plan, MXD rezoning for the Property is in substantial compliance with the applicable recommendations from the Master Plan and makes sense under the circumstances.

In Section 8 of the Sixth Amendment to Annexation Agreement, the City acknowledges that MXD zoning for the Property is in conformance with the Master Plan and is an appropriate zoning classification for the Property.

## **III. Approved Sketch Plan and Compatibility with Surrounding Area**

In connection with the execution of the Sixth Amendment to Annexation Agreement, MedImmune prepared a concept plan with information about the MedImmune properties, including the Property proposed for rezoning under this Application. The concept plan was carefully considered and prepared with the rezoned Summit property assumed and contains information required for a sketch plan submission. Under Section 5 of the Amendment, the City acknowledged that the concept plan (Attachment A to the Amendment) constitutes an approved sketch plan. Consequently, MedImmune already has an approved sketch plan in compliance with Section 24-160D.9 of the City Zoning Ordinance and is not submitting a separate sketch plan with this rezoning application.

The existing building on the Property has existed for over 25 years. The Property and existing development are compatible with existing and proposed surrounding uses.

If you have any questions or need any additional information, please do not hesitate to contact us. Thank you very much.

# SIXTH AMENDMENT TO ANNEXATION AGREEMENT (X-129)

THIS SIXTH AMENDMENT TO ANNEXATION AGREEMENT ("Amendment"), is made this 8<sup>th</sup> day of march 2013, by and between the CITY OF GAITHERSBURG, MARYLAND, a municipal corporation of the State of Maryland, (hereinafter referred to as "City"), and MEDIMMUNE, LLC, a Delaware limited liability company and successor to MedImmune, Inc., a Delaware corporation ("MedImmune").

## RECITALS:

WHEREAS, MedImmune is the fee simple owner of approximately sixty-two and 6/10ths (62.6) acres of land located in the City of Gaithersburg, identified as follows:

- 101 Orchard Ridge Drive (Parcel N295, the "Summit", 8.42 acres);
- 200 Orchard Ridge Drive (Parcel N254, part of the "Ridges", 9.07 acres);
- 1 MedImmune Way (Parcel N454, part of the "Ridges", 22.8 acres);
- Quince Orchard Road (Parcel N432, part of the "Ridges", 4.92 acres); and
- Quince Orchard Road (Parcel N550, the "Meadows", 17.39 acres);

(collectively, the "MedImmune Properties"); and

WHEREAS, the MedImmune Properties constitute a portion of the approximately 212 acres of land annexed into the City of Gaithersburg pursuant to Annexation Agreement X-129 between the City of Gaithersburg and the General Electric Information Services Company dated October 22, 1982 (the "Agreement"); and

WHEREAS, the Agreement has been amended five times as follows:

1. August 5, 1991, the First Amendment
2. March 19, 1996, the Second Amendment

2013 MAR 14 PM 12:38  
 FILED  
 LORETTA E. KNIGHT  
 CLERK'S OFFICE  
 MONTGOMERY CO., MD

REGISTRATION FEE 0.00  
 RECORDING FEE 0.00  
 TOTAL 0.00  
 Reg#N007 Rcf#599999  
 LEK KAD BIK#5588  
 Mar 14, 2013 12:35 PM



demand along Orchard Ridge Drive, MedImmune will contribute up to a maximum of three hundred fifty thousand dollars (\$350,000.00) (or the actual cost, whichever is less) to be applied towards the cost of providing up to twenty (20) additional on-street parking spaces along the residential side Orchard Ridge Drive. Said contribution shall be made within ninety (90) days from the approval of this Agreement. MedImmune's responsibility is for payment only, and MedImmune will not be responsible for any design or construction of the spaces.

5. Right to Develop MedImmune Properties. The City agrees that, subject to compliance with applicable laws and regulations, MedImmune has the right to develop the MedImmune Properties in substantial conformance with this Amendment. The concept "bubble plan" attached hereto as Attachment A shall constitute an approved sketch plan for the MedImmune Properties. The City further agrees that if otherwise in compliance with the City's subdivision and zoning laws and findings required for the MXD zone, it will approve plans, including sketch plans, schematic development plans, site plans, and record plats, and all other required development approvals and permits to permit the development, construction, and occupancy of future buildings on the MedImmune Properties that are in substantial conformance with this Amendment. Future applications will be reviewed and approvals will be made in accordance with the subdivision and zoning laws and regulations as they are in effect at the time of application(s) submittal(s). MedImmune will be given priority permit review. Revisions to the City's master plans shall not alter the terms of and conditions of this Amendment, even if a revised master plan is inconsistent with this Amendment. The City will not change the zoning of MedImmune properties without MedImmune's consent.

6. Approval, Fees, Processes and Regulations. MedImmune shall be subject to all development permit approvals, fees, processes and regulations, except as otherwise provided

herein.

7. Section 24-160D.3(b)(2) Not Applicable. The MedImmune Properties are not subject to Section 24-160D.3(b)(2) of the City Zoning Ordinance (maximum percentages of various uses).

8. Rezoning of Summit Property. MedImmune shall seek to rezone the Summit Property from the current I-3 Zone to the MXD Zone prior to or concurrent with any development application submitted for density greater than the currently permitted 1.95 million square feet. The City acknowledges that MXD zoning of the Summit Property is in conformance with the Master Plan and, subject to compliance with the provisions of Chapter 24 of the City Code, is an appropriate zoning classification of the Property. The City further agrees that the density and intensity of development calculations under City Code Section 24-160D.4 related to any subsequent MedImmune development plan will presume successful rezoning of the Summit Property. The City acknowledges that the Summit Property satisfies the MXD Zone development standards and that no further dedications, requirements, or compliance with development standards are necessary to accomplish the rezoning.

9. Dedication of Portion of Meadows Property for Open Space/Parkland. At a mutually agreeable time in 2013, MedImmune will dedicate and Plat a portion of the Meadows Property, approximately 6.5 acres in size, to the City for open space/parkland, in the approximate location as shown on Attachment B. MedImmune may count the density available from that property towards future development on any or all of the other MedImmune Properties. MedImmune and the City may discuss any additional conditions in connection with the dedication such as naming rights for any recreational facilities. On or before dedication, MedImmune will pay \$200,000.00 to the City for use in preparing the dedicated land for use as

PROPOSED ALLOCATION OF  
DEVELOPMENT RIGHTS  
(BASED ON SKETCH PLAN 22745C)

> THE RIDGES

EXISTING BUILT  
165,000 SF  
OFFICE / LAB  
CURRENT ALLOWABLE  
655,000 SF / 4-7 STORIES  
OFFICE / LAB  
PROPOSED ALLOWABLE  
1,200,000 - 2,100,000 SF / 4-9 STORIES  
OFFICE / LAB

> THE SUMMIT

EXISTING BUILT  
102,000 SF  
OFFICE  
CURRENT ALLOWABLE  
108,000 SF / 3 STORIES  
OFFICE  
PROPOSED ALLOWABLE  
108,000 - 440,000 SF / 4-7 STORIES  
OFFICE / LAB

> THE MEADOWS

EXISTING BUILT  
0 SF  
CURRENT ALLOWABLE  
1,450,000 SF / 3-8 STORIES  
OFFICE / RETAIL  
PROPOSED ALLOWABLE  
150,000 - 300,000 SF / 3-5 STORIES  
OFFICE / LAB

OVERALL PROPOSED DEVELOPMENT

EXISTING BUILT  
367,000 SF  
CURRENT ALLOWABLE  
1,111,000 - 1,286,000 SF  
PROPOSED ALLOWABLE  
2,426,000 SF

VICINITY MAP

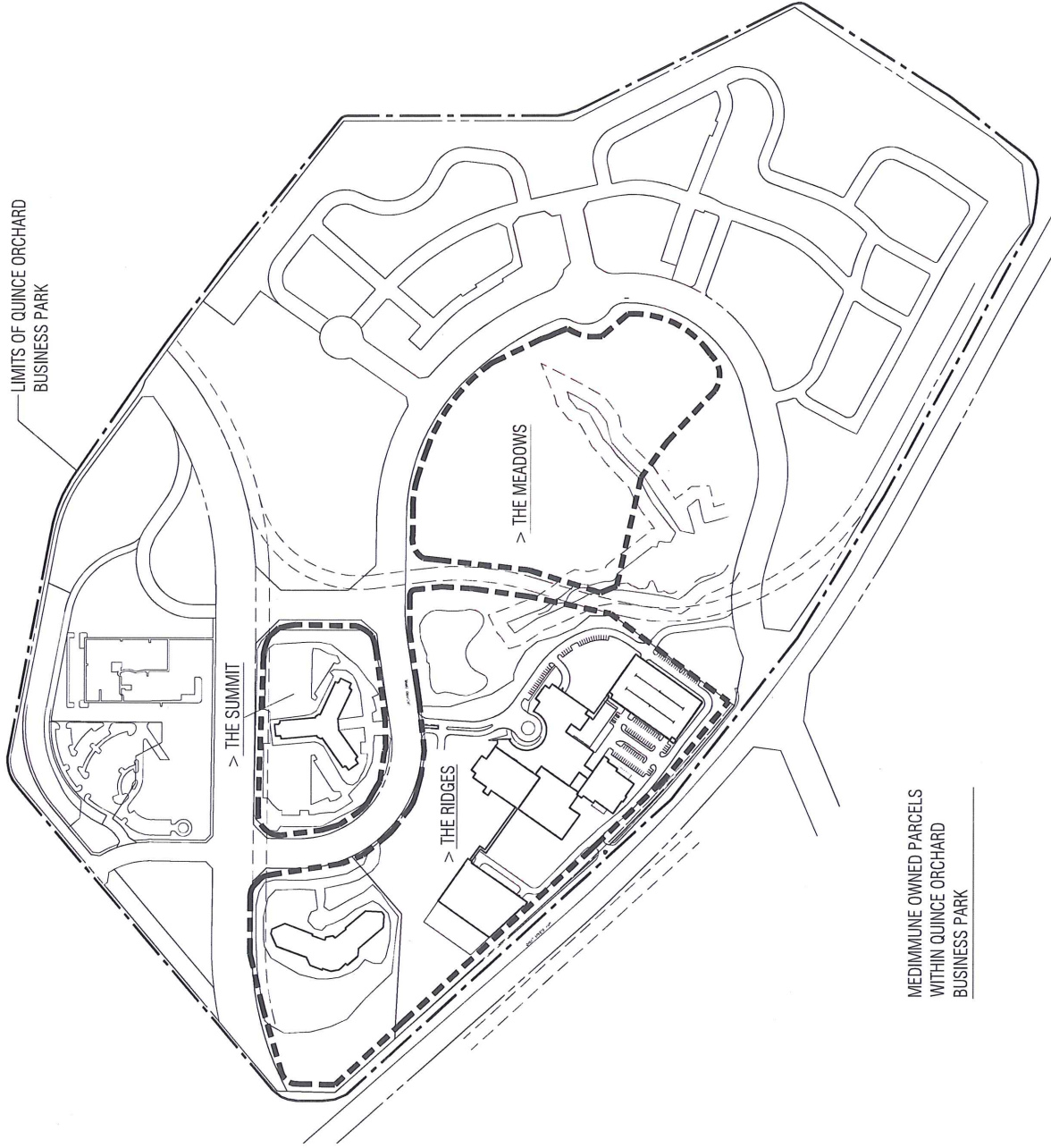


ATTACHMENT A:  
CONCEPT BUBBLE PLAN

MARCH 4, 2013

SCALE: 1"=400'

LIMITS OF QUINCE ORCHARD  
BUSINESS PARK



MEDIMMUNE OWNED PARCELS  
WITHIN QUINCE ORCHARD  
BUSINESS PARK

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**MEMORANDUM TO:** Mayor and City Council  
Planning Commission

**FROM:** Rob Robinson, Lead, Long Range Planning

**DATE:** June 17, 2013

**SUBJECT:** Preliminary Background Report: Application Z-2730-2013;  
Summit Parcel Rezoning: Medimmune

**APPLICANT/OWNER**

MedImmune LLC  
One Medimmune Way  
Gaithersburg, MD 20878

**TAX MAP REFERENCE:**

Tax Map: FS13

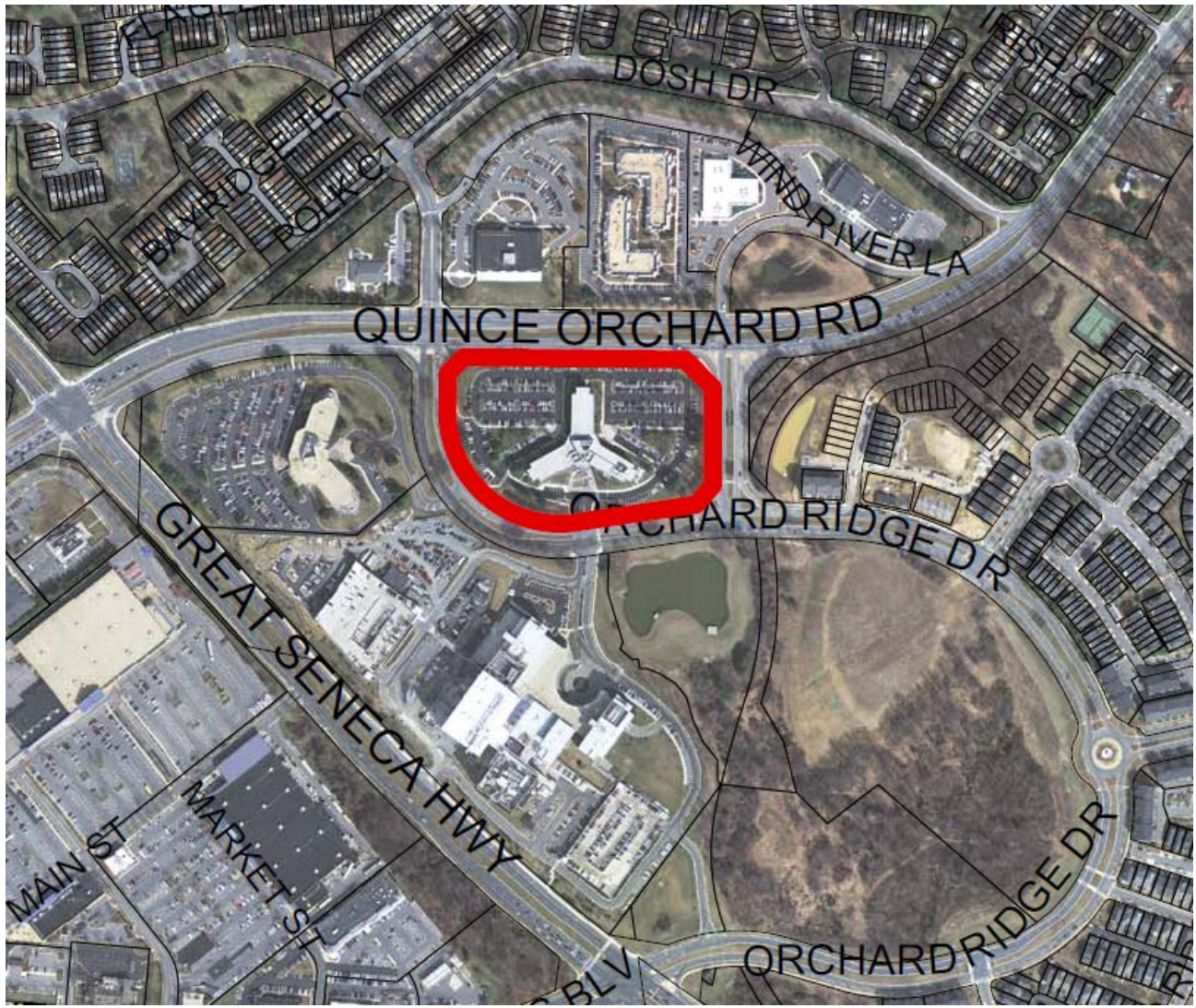
**TAX ACCOUNT NUMBER:**

Parcel N295 – ID #09-02544207

**REQUEST**

MedImmune LLC has submitted Zoning Map Amendment application Z-2730-2013. This plan, in accordance with the approved and amended X-129 annexation agreement and associated Sketch Plan, proposes rezoning 8.42 acres of land from the I-3 (Industrial and Office Park) Zone to the MXD (Mixed Use Development) Zone. The subject property is located at 101 Orchard Ridge Drive within the Medimmune campus.



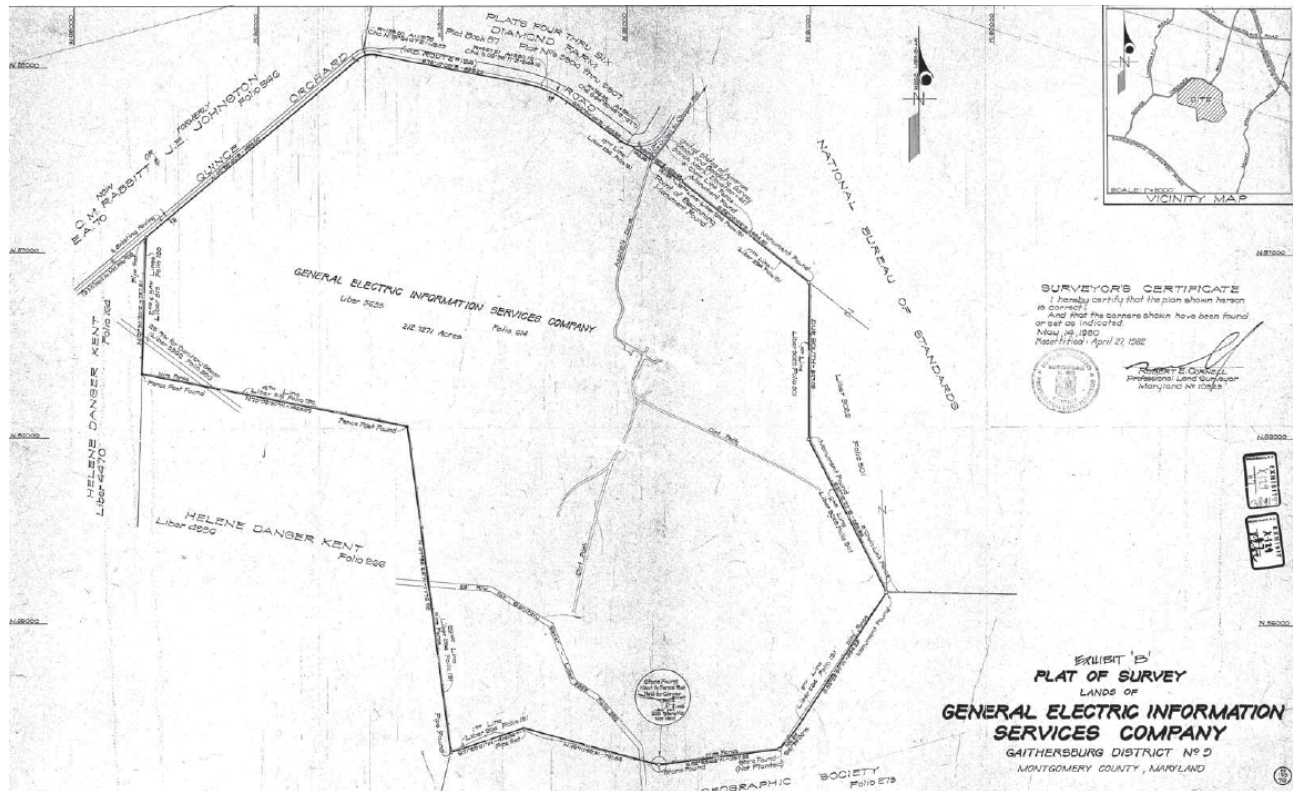


## **PROJECT BACKGROUND**

### **ANNEXATION, ZONING AND SITE PLAN HISTORY:**

The Mayor & City Council approved application X-129, the Quince Orchard Park (then GEISCO Property), annexation and established I-3 zoning for the entire property by resolution R-60-82 and ordinance O-14-82 respectively on September 7, 1982.

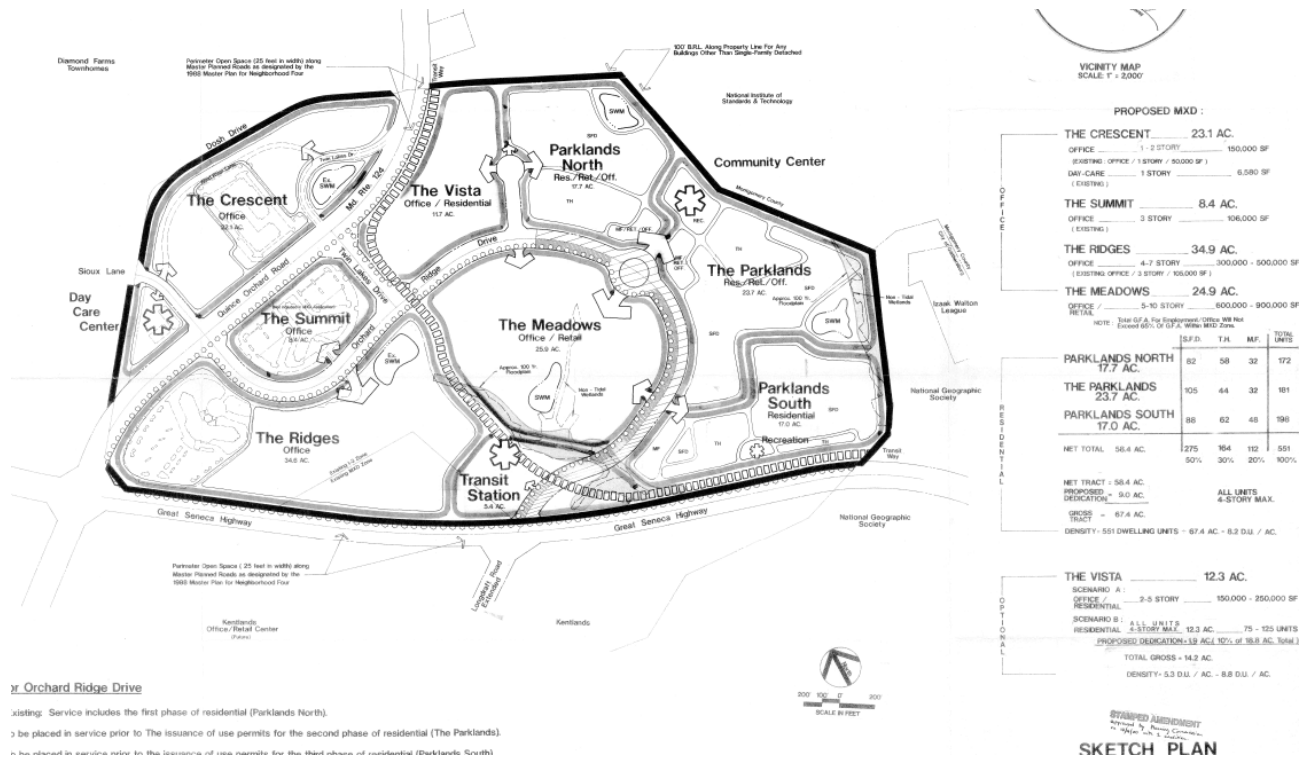




The annexation was followed on October 22, 1982 with the approval of the X-129 Annexation Agreement which established certain dedications to be made and dedications required. Subsequently, the Annexation Agreement has been amended six times. These various amendments concerned different development rights and associated issues and site development plans. The following addresses the amendments and associated applications as they pertain to the subject Z-2730-2013 application:

- March 6, 1985: Final Site Plan application S-760 receives approval for 101 Orchard Ridge Drive;
- April 1, 1987: Amendment to Final Site Plan application S-760(C) receives approval for 101 Orchard Ridge Drive. This approval reflects the property use and design as is found today<sup>1</sup>;
- August 5, 1991: First X-129 Amendment approved. Property is partitioned into four separate parcels by conveyance to among others GERECCO, General Electric Real Estate Credit Corporation;
- December 20, 1993: Zoning Map Amendment Z-275 and associated sketch plan approved for Quince Orchard Corporate Center, by ordinance O-22-93. This application granted MXD zoning to approximately 174 acres, but did not include 101 Orchard Ridge Drive which remained zoned I-3. The Z-275 Sketch Plan was then further amended, but had no impact upon the use or design of the subject Property;

<sup>1</sup> Exhibit 12



- March 19, 1996: 2<sup>nd</sup> X-129 Amendment approved. This amendment further defined density/development rights and fulfilled a Z-275 condition of approval;
- September 15, 1998: 3<sup>rd</sup> X-129 Amendment approved. This amendment only concerned the residential sections of Quince Orchard Park;
- July 2, 2001: Schematic Development Plan application SDP-01-002 receives approval for first phase of Medimmune development on the Ridges section, by resolution R-62-01;
- August 15, 2001: Final Site Plan application SP-01-0010 receives approval for Phase I;
- March 11, 2002: 4<sup>th</sup> and 5<sup>th</sup> X-129 Amendments approved. These amendments refined phasing requirements and road construction responsibilities;
- June 16, 2003: Schematic Development Plan application SDP-03-003 receives approval for all three phases of Medimmune development on the Ridges section, by resolution R-48-03;
- February 22, 2005: Schematic Development Plan application SDP-04-003 receives approval to amend phases II and III of Medimmune development on the Ridges section, by resolution R-14-05. This SDP establishes the constructed Medimmune condition found today; and
- March 16, 2005: Final Site Plan application SP-01-0010 receives approval for Phase II.

The aforementioned X-129 Annexation Agreement and subsequent amendments established a density cap of 1.95 million square feet of allowable floor area for "intended uses" or "other uses" defined in the agreements. The following illustrates the allowable development density prior to the 6<sup>th</sup> Amendment:

Summit:	102,000 SF
Existing Office Ridges:	105,000 SF
Daycare:	6,580 SF

Crescent:	50,000
	50,000
	25,000
	<u>22,900</u>
	147,900 SF total

Medimmune:	Areas 1, 2 &3: 223,537
	Area 4: 94,600
	Area 5: 144,865
	<u>Area 6: 250,000</u>
	713,002 SF total

Residential:	QOP Phase I: 202 Units
	QOP Phase II: 302 Units
	<u>Vistas: 83 Units</u>
	587 Units = 587,000 SF Total

Total-	1,661,482 Square Feet
Remaining Allowable Density-	288,518 Square Feet

### **Sixth X-129 Annexation Agreement:**

Medimmune, beginning in 2002, began purchasing the parcels comprising the Quince Orchard Corporate Park. The timeline is as follows:

- May 2002: Initial purchase of Ridges portion
- September 2003: Additional Ridges portion
- December 2007: Purchase of Meadows parcel
- December 2008: Purchase of Summit parcel (subject property)
- December 2010: Purchase of remaining Ridges parcel (including 200 Orchard Ridge Drive)

With all the parcels under ownership, (62.6 acres) Medimmune explored options with the City to further expand through an additional X-129 Amendment. The 6<sup>th</sup> Amendment was approved March 8, 2013. The amendment revised the density of development allowed on the MedImmune properties; dedicated new City parkland; and included transportation and community improvements among other details.

The revised density calculations removed the existing square foot limitations and instead imposed the density permitted under the MXD zone in effect at the time of the Amendment or a floor area ratio (FAR) of 0.75. In calculating the new allowable density, the acreage of



the subject property was included. Sections 5 and 8 of the 6<sup>th</sup> Amendment concern the subject Z-2730-2013 application<sup>2</sup>.

Section 5 states:

“Right to Develop MedImmune Properties. The City agrees that, subject to compliance with applicable laws and regulations, MedImmune has the right to develop the MedImmune Properties in substantial conformance with this Amendment. The concept “bubble plan” attached hereto as Exhibit A shall constitute an approved sketch plan for the MedImmune Properties...”



Section 8 states:

“Rezoning of Summit Property. MedImmune shall seek to rezone the Summit Property from the current I-3 Zone to the MXD Zone prior to or concurrent with any development application submitted for density greater than the currently permitted 1.95 million square feet. The City acknowledges that MXD zoning of the Summit Property is in conformance with the Master Plan and, subject to compliance with the provisions of Chapter 24 of the City Code, is an appropriate zoning classification of the Property. The City further agrees that the density and intensity of development calculations under City Code Section 24-160D.4 related to any subsequent MedImmune development plan will presume successful rezoning of the Summit Property. The City acknowledges that the Summit Property satisfies

<sup>2</sup> Exhibit 8

the MXD Zone development standards and that no further dedications, requirements, or compliance with development standards are necessary to accomplish the rezoning.”

While no development applications have been submitted nor are planned in the near term, Medimmune chose to submit the required zoning map amendment per Section 8 above on May 24, 2013. The Z-2730-2013 application review and approval will be governed by both the 6<sup>th</sup> X-129 Amendment and the requirements of the City Code.

## **REQUIRED ACTIONS**

### **Zoning Map Amendment Z-2730-2013**

As stated, Medimmune is requesting a map amendment from the I-3 Zone to the MXD Zone, which is identified by §24-10A of the City Code as a floating zone. According to §24-10A(2) of the City Code:

*(2) The approval of and placement of floating zones may only occur upon a finding by the city council that the application therefore:*

*(a) Complies with the purposes and intent of the zone as stated in the zoning ordinance; and*

*(b) As applied will be compatible and harmonious with existing and planned land uses in the surrounding area.*

Section 24-160D.10(a) states that the City Council may approve the MXD zoning and accompanying sketch plan when they find the following:

- (1) The application meets or accomplishes the purposes, objectives, and minimum standards and requirements of the zone; and*
- (2) The application is in accord with recommendations in the applicable master plan for the area and is consistent with any special conditions or requirements contained in said master plan; and*
- (3) The application and sketch plan will be internally and externally compatible and harmonious with existing and planned land uses in the MXD zoned areas and adjacent areas.*

While the terms of Section 8 above acknowledge that MXD zoning is appropriate for the subject property the Applicant has submitted a Statement for Support that details how the proposed application fulfills the requirements of §24-160D.10<sup>3</sup>. Further, as defined in Section 5 above, Exhibit A is an approved Sketch Plan including the development rights of the subject property. As such, a separate sketch plan was not required and has not been submitted for review.

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<sup>3</sup> Exhibit 3

**SUMMARY:**

The applicant has submitted for consideration Zoning Map Amendment application Z-2730-2013. This application is in accordance with the 6<sup>th</sup> X-129 Annexation Agreement Amendment. A joint public hearing before the Mayor & City Council and the Planning Commission has been scheduled for July 1, 2013.



## **Public Hearing to Request Rezoning of Summit Parcel**

**Presentation to Gaithersburg City  
Mayor and Council and Planning  
Commission**

**1 July 2013**

Joint Hearing - MCC & PC  
Z-2730-2013

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# MedImmune is requesting that the Summit Parcel of the Quince Orchard Business Park be rezoned from I-3 to MXD



## Summit Parcel Details

From Approved Sketch Plan 3/8/13

- **Existing Built**
  - 102,000 SF
  - Office
- **Current Allowable**
  - 106,000 SF / 3 stories
  - Office
- **Proposed Allowable (Now Approved)**
  - 106,000 – 400,000 SF / 3 Stories
  - Office / Lab

# Rezoning the Summit Parcel

- **Following public hearings on the Sixth Amendment to the Annexation Agreement, the City found that:**
  - **MXD zoning is in conformance with the Master Plan**  
(Section 8, Sixth Amendment to Annexation Agreement (X-129) dated March 8, 2013)
  - **MXD zoning is an appropriate zoning classification for the Property and no further dedications, requirements, or compliance with development standards are necessary to accomplish the rezoning**  
(Section 8, Sixth Amendment to Annexation Agreement)
  - **The bubble concept included in the Sixth Amendment is an approved sketch plan as required for rezoning**  
(Section 5, Sixth Amendment to Annexation Agreement and Attachment A)
- **Construction is not planned at this time but in the future it will follow the necessary public hearing and review requirements**



# *City of Gaithersburg*

31 South Summit Avenue  
Gaithersburg, Maryland 20877

## Mayor and City Council Regular Session Minutes City Hall - Council Chambers Monday, July 1, 2013

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A Mayor and City Council Regular Session was called to order with Mayor Katz presiding. Council Members present: Jud Ashman, Cathy Drzyzgula, Henry F. Marraffa, Michael Sesma, and Ryan Spiegel. Staff present: City Manager Tomasello, City Attorney Board, Economic Development Director Lonergan, Director of Planning and Code Administration Schlichting, Director of Community and Public Relations Monaco, Lead Planner Robinson, Community Planning Director Schwarz, Planner Seiden, and Municipal Clerk Stokes. Planning Commission present: Bauer, Hopkins, Kaufman, Lanier and Winborne.

### I. [CALL TO ORDER](#)

The session was called to order at 7:30 p.m.

### II. [PLEDGE OF ALLEGIANCE](#)

The Pledge was led by Board of Appeals member Richard Knoebel.

### III. [INVOCATION](#)

In lieu of an invocation, Mayor Katz called for a moment of silence.

### IV. [APPROVAL OF MINUTES](#)

#### A. [Regular Session held November 5, 2012](#)

Motion was made by Jud Ashman, seconded by Henry F. Marraffa, that the minutes of the Regular Session held November 5, 2012, be approved.

Vote: 5-0

#### B. [Regular Session held June 3, 2013](#)

Motion was made by Cathy Drzyzgula, seconded by Michael Sesma, that the minutes of a Regular Session held June 3, 2013, be approved.

Vote: 5-0

#### C. [Work Session held June 10, 2013](#)

Motion was made by Ryan Spiegel, seconded by Henry F. Marraffa, that the minutes of the Work Session held June 10, 2013, be approved.

Joint Hearing - MCC & PC  
Z-2730-2013  
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Vote: 5-0

D. [Regular Session held June 17, 2013](#)

Motion was made by Henry F. Marraffa, seconded by Cathy Drzyzgula, that the minutes of the Regular Session held June 17, 2013, be approved.

Vote: 5-0

V. [APPOINTMENTS](#)

A. [Resolution of the City Council Confirming Reappointments by the Mayor to the Planning Commission](#)

This resolution confirmed the following reappointments to the Planning Commission: Matthew Hopkins, 106 Fairgrove Terrace, Gaithersburg, Maryland 20877 and Danielle Winborne, 137 Apple Blossom Way, Gaithersburg, Maryland 20878, five-year terms.

Motion was made by Jud Ashman, seconded by Ryan Spiegel, that a Resolution of the City Council Confirming Reappointments by the Mayor to the Planning Commission (Resolution No. R-46-13), be approved.

Vote: 5-0

VI. [OATH OF OFFICE](#)

A. [Oath of Office to Planning Commission Members](#)

Mayor Katz administered the oath of office to Matthew Hopkins and Danielle Winborne to executive the office of Planning Commissioner, according to the United States and Maryland Constitutions, the Laws of this State and the Gaithersburg City Charter and Code.

VII. [PUBLIC COMMENTS](#)

There were no speakers from the public.

VIII. [JOINT PUBLIC HEARING](#)

A. [Z-2730-2013 Summit Rezoning:](#)

**The applicant requests to rezone 8.42 acres of land from the I-3 (Industrial and Office Park) Zone to the MXD (Mixed Use Development) Zone, in accordance with § 24-196 (Map Amendments) of the City Code and the Sixth Amendment to the X-129 Annexation Agreement.**

Lead Planner Robinson presented the above zoning map amendment application. The plan, in accordance with the approved and amended X-129 annexation agreement and associated Sketch Plan, proposes to rezone 8.42 acres of land from the I-3 (Industrial and Office Park) Zone to the MXD (Mixed Use Development) Zone, the subject property is located at 101 Orchard Ridge Drive within the MedImmune campus. The application was submitted in accordance with Section 8 of the approved Sixth Amendment to the X-129 Annexation Agreement. The application was advertised in the June 12 and 19, 2013 issues of the Gazette.

Julie Gardner, from MedImmune Government Affairs, stated MedImmune is requesting that the Summit Parcel of the Quince Orchard Business Park be



rezoned from the I-3 Zone to the MXD Zone. The City found that MXD zoning is in conformance with the Master Plan, that the MXD zoning is an appropriate zoning classification for the property and the bubble concept included in the Sixth Amendment is an approved sketch plan as required for rezoning. Informed the Mayor and City Council that no construction is planned but in the future it will follow the necessary public hearing and review requirements. She noted that MedImmune did notify the public of the rezoning application through community outreach on May 29, 2013.

There were no speakers from the public.

Motion was made by Lloyd Kaufman, seconded by, Matthew Hopkins, that the Planning Commission record on Z-2730-2013 Summit Rezoning: The applicant requests to rezone 8.42 acres of land from the I-3 (Industrial and Office Park) Zone to the MXD (Mixed Use Development) Zone, in accordance with § 24-196 (Map Amendments) of the City Code and the Sixth Amendment to the X-129 Annexation Agreement, remain open until 5 p.m. on Monday, July 15, 2013.

Vote: 5-0

Motion was made by Henry F. Marraffa, seconded by, Michael Sesma, that the City Council record on Z-2730-2013 Summit Rezoning: The applicant requests to rezone 8.42 acres of land from the I-3 (Industrial and Office Park) Zone to the MXD (Mixed Use Development) Zone, in accordance with § 24-196 (Map Amendments) of the City Code and the Sixth Amendment to the X-129 Annexation Agreement, remain open until 5 p.m. on Thursday, July 31, 2013.

Vote: 5-0

B. [Ordinance to Amend Chapter 24 \(City Zoning Ordinance\), Sections in Article I, Entitled "In General," Article III, Entitled, Regulations Applicable to Particular Zones," Article IV, Entitled, "Supplementary Zone Regulations," and Article VII, Entitled, "Board of Appeals, " so as to Update, Correct, and/or Clarify Text and Procedures Related to Applications to the Board of Appeals.](#)

Planner Seiden presented the above text amendments. The Board of Appeals (BOA) identified multiple housekeeping and more substantial text amendments that would enable the Board to review special exception, variance and administrative review petitions with more precision. The BOA met over several work sessions to identify and propose revisions to Section 24-1 (Definitions) and Article VII, Board of Appeals. Additionally, a considerable number of housekeeping issues related to an improper section reference to the telecommunications ordinance were also proposed throughout Chapter 24. The Mayor and City Council voted to sponsor the text amendment at its May 20, 2013 regular meeting. The hearing was duly advertised in the June 5 and 12, 2013 issues of the Gazette and posted on the City's website. Currently there are eight exhibits in the record file. Planner Seiden reviewed the proposed text amendments.

Harvey Kaye, Board of Appeals Chair, expressed the Boards support for the amendments to the City Code and the Boards Rules and Procedures. Stated that the goals of these text amendments were to make the process more transparent and to eliminate unnecessary points of conflict between the BOAs Rules and Procedures and the City Code that could slow down or even stop the public

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## STAFF COMMENTS FOR PLANNING COMMISSION

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**MEETING DATE:** July 24, 2013

**SUBJECT:** SP-0942-2012

**TITLE:** Florist Shop

**REQUEST:** **FINAL PLAN APPROVAL**  
**Change in use for florist shop, 80 SF**  
**Addition, and New Parking Lot**

**ADDRESS:** **311 South Frederick Avenue**

**ZONE:** CD (Corridor Development) Zone

**Applicant/Engineer:** Ray Burns, Macris, Hendricks, Glascock

**Owner:** Mohammed Ali Farshneshani

**Developer:** Alex Arsh

**STAFF LIAISON:** Lauren Pruss, Planning Division Chief

### Enclosures:

#### Staff Comments

Exhibit 1: Application  
Exhibit 2: Site Plan  
Exhibit 3: Building Elevations  
Exhibit 4: Landscape Plans  
Exhibit 5: Vehicle Movement Sketch  
Exhibit 6: Lighting and Photometric Plan  
Exhibit 7: Forest Conservation Plan  
Exhibit 8: Parking Waiver Statement  
Exhibit 9: Draft Covenant  
Exhibit 10: Approved concept site plan CSP-01-006  
Exhibit 11: Resolution R-59-12  
Exhibit 12: Email dated October 12, 2012 regarding architecture  
Exhibit 13: Application Review Comments Dated December 12, 2013  
Exhibit 14: Application Review Comments Dated March 18, 2013  
Exhibit 15: Application Review Comments Dated April 26, 2013  
Exhibit 16: Postcard and Address List for Notification



## STAFF COMMENTS

### I. BACKGROUND:

An application has been filed requesting Final Site Plan approval for a florist shop at 311 South Frederick Avenue. The subject property is located in the CD (Corridor Development) Zone, north of the intersection of Peony and Frederick Avenues.

In 2012, the applicant received approval from the Mayor and City Council for a change in use from residential to limited retail, including florist shops. The current application for final site plan approval is requesting the initial occupancy of the structure with a florist shop, and also requesting the approval for future occupancy with limited commercial uses including professional and medical offices. The proposed final site plan also requests approval for a six space parking lot with a one space parking waiver (Exhibits 2 and 8).

### II. SCOPE OF REVIEW:

Site plan approval is required by § 24-168 of the Zoning Ordinance, which states:

***"No building or structure shall be hereafter erected, moved, added to or structurally altered under circumstances which require the issuance of a building permit under this chapter, nor shall any use be established, altered or enlarged under circumstances which require the issuance of a use and occupancy permit under this chapter, upon any land, until a site development plan for the land upon which such building, structure or use is to be erected, moved, added to, altered, established or enlarged has been approved by the city planning commission."***

The proposed change to a restaurant use requires more parking than the previous use. Additionally, the proposed modifications to the parking lot require an amendment to the approved site plan. In accordance with the above provisions, the proposed modifications require the Planning Commission to approve the proposed amendment.

### III. SITE PLAN ANALYSIS AND FINDINGS:

#### **History**

In 2012, the applicant received Mayor and City Council approval for Concept Site Plan CSP-12-001 via Resolution R-58-12, permitting a change in use from residential to limited retail, including florist shops. The parking lot layout of the approved concept site plan is similar to that which is currently proposed (Exhibit 10). With exception of the 84 square foot building addition proposed to the Frederick Avenue frontage, the application remains largely the same as that approved by the Mayor and City Council.

### **Existing Site Conditions**

The subject property is currently developed with a 1,446 square foot residential building, which was constructed in 1956 according to tax records. The site also contains an asphalt and gravel parking area, grass areas, and sidewalk areas. A Natural Resources Inventory was reviewed and approved by the City on February 3, 2011.

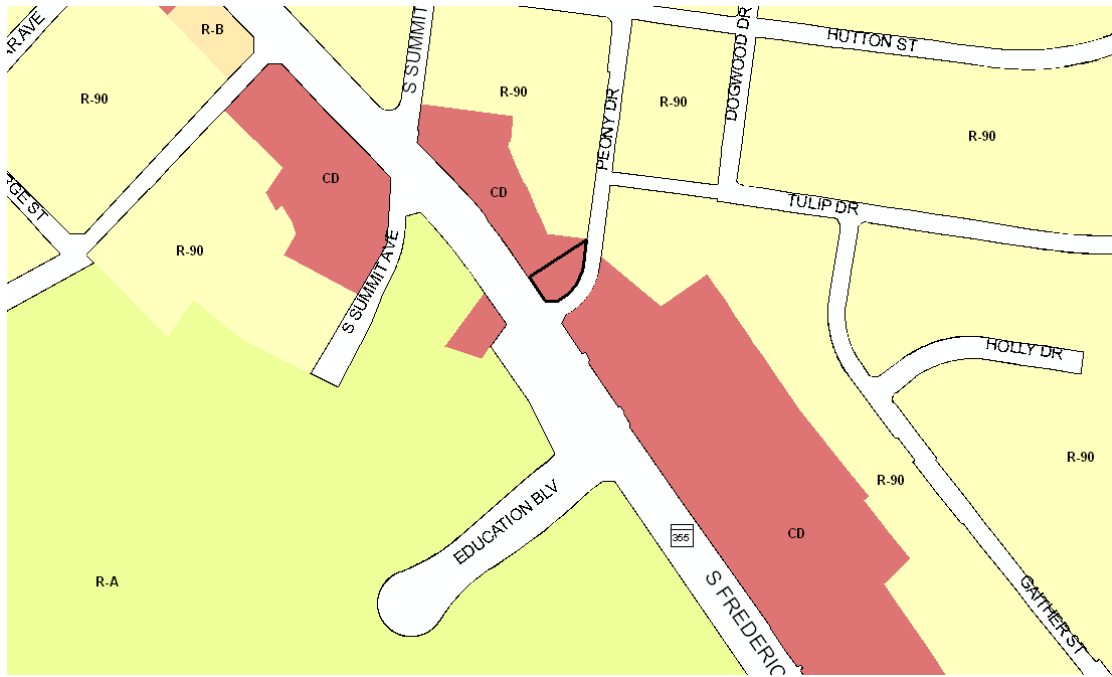
The topography of the property is generally level. No forest, State or County champion trees or trees  $\geq 75\%$  of a State or County champion tree are located on or adjacent to the site. No streams, wetlands, floodplains or associated buffers are located on the property.

Three (3) significant trees are identified on the Natural Resources Inventory. One of these trees, a 45 inch diameter at breast height (DBH) Red Oak, is located offsite on Parcel 470. The other two trees, a Red Oak and White Oak tree, measuring 33 and 24 inches DBH, respectively, are located on site and will be removed with the installation of the parking lot.

### **Surrounding Land Use and Zoning**

The subject property is zoned CD Corridor Development and is currently vacant, but previously in residential use. The areas to the north and south along Frederick Avenue are also located within the CD zone. The property to the north is in residential use, with a home occupation. Further to the north are other residential rental properties and some residences that have been converted to commercial uses. The property directly to the south, across Peony Drive is being used as a professional office, with the intensity of commercial uses increasing further south along Frederick Avenue. The area to the northeast is zoned R-90 (Medium Density Residential) and is developed with single family homes. The area across Frederick Avenue is primarily zoned R-A (Low Density Residential), with one lot being zoned CD Corridor Development. This parcel is in use as a professional office. The remaining R-A zoned areas are developed with institutional uses, namely, Gaithersburg High School and the Church of the Ascension. It should be noted that all of the commercial uses along the stretch of Frederick Avenue between South Summit Avenue and Peony Drive are located within residential structures adaptively reused for commercial uses.



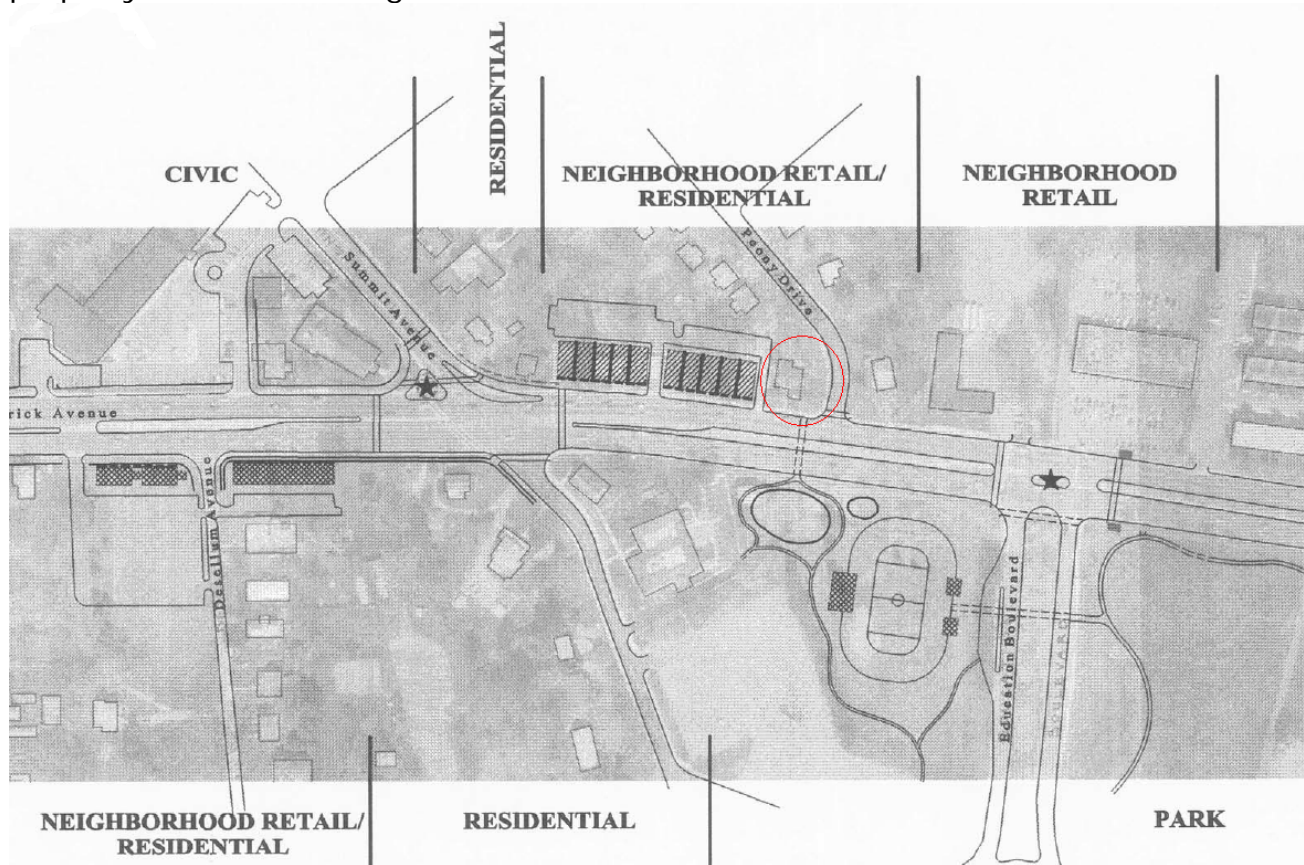


## **Master Plan**

The subject property was comprehensively rezoned Corridor Development (CD) in 2001 in response to the *Frederick Avenue Corridor Land Use Plan*, adopted January 2001. The subject property is located in the Southern Residential District and is identified as part of Map Designation G which recommended CD zoning and states (Exhibit 18):

*"Designate...as **commercial, office, residential**. These eight lots located at the entryway to Olde Towne Gaithersburg are currently in transition...Due to the current deteriorating condition of several of the existing single-family dwelling units, continued maintenance issues, and the volume and noise levels associated with this intersection, the area can no longer sustain an exclusively residential land use. The "Frederick Avenue Corridor Plan makes specific recommendations on how these properties should be treated and recommends demolition of four of the existing houses with redevelopment of townhouse-style live-work units... In addition, a 10-foot green space buffer should be maintained between these parcels and the rear yards of homes directly behind these parcels on Peony Drive. The "Frederick Avenue Corridor Plan" recommends preservation of three existing residences (P364, P393, and **P469**) for future commercial or residential development. The use of these buildings should be consistent with those mentioned previously – light retail, office and residential. A land use designation of commercial-office-residential, with corresponding CD zoning, will allow the properties to redevelop in a positive manner. A maximum of 45,000 square feet of total building area is recommended.*

The "*Frederick Avenue Corridor Plan*" shows the following land use plan for the subject property and surrounding area:



### **Adequate Public Facilities Ordinance**

**Water and Sewer Services and Public Utilities:** The subject property currently has WSSC water and sewer categories of W-1 and S-1 respectively.

**Fire and Emergency Services:** The following three fire stations provide ten minute response times to the site:

- Rockville Fire Station 3 located on Hungerford Drive;
- Gaithersburg-Washington Grove Fire Station 8, located on Russell Avenue; and
- Gaithersburg Fire Station 28 located at the intersection of Shady Grove and Muncaster Mill Roads.

Therefore, the site complies with the requirements for the Adequate Public Facilities requirements for Emergency Services.

**Adequacy of School Capacity:** Since the application proposes a commercial use, it will have no impact on the school system.

**Traffic Impacts:** In accordance with the City's Adequate Public Facilities Ordinance (APFO), the applicant has submitted a traffic statement indicating that the proposed project will not generate more than 30 peak hour trips. Engineering Services Director



Ollie Mumpower has reviewed the traffic statement and agrees with its findings.

## **Site Plan Analysis**

### ***Proposed Use***

The application proposes a change in use from residential to commercial use. The existing residential structure on the site will be converted to meet commercial building codes for occupancy with a commercial use. The applicant is specifically requesting the initial occupancy of the structure with a florist shop, and also requesting the approval for future occupancy with the following limited commercial uses that are allowed as permitted uses within the CD zone:

Permitted Use List:	
Antique shops	P
Barber and beauty shops	P
Dwellings, one-family detached	P
Florist shops	P
Home based business only associated with a dwelling as a principal use and subject to conformance with Article X of the Zoning Ordinance	P
Jewelry stores	P
Offices for professional or business purposes, including but not limited to medical, law, real estate, and insurance	P
Photography and artist studios	P
Shoe repair shops	P
Tailoring and dressmaking shops	P

Staff recommends that the site plan be conditioned to limit the future occupancy to these uses given the location of the site in proximity to residential use. Further, to ensure the future occupancy of the structure with these uses, staff recommends that a covenant, suitable for filing in the land records for Montgomery County, which indicates in specific language that the property is restricted in its use and/or development standards and which also indicates that such restrictions shall be in effect until such time as the property may be rezoned or redeveloped, at which time such restrictions shall be removed, be filed in the land records prior to issuance of a use and occupancy permit in accordance with Section 24-160G.6. of the City Code. Staff believes that with these restrictions, the overall use of the property is sufficiently limited recognizing the property's proximity to residential uses and on-site constraints.

### ***Site Design***

The proposed site plan also requests approval for an 84 square foot addition and a six space parking lot. Because the application does not propose redevelopment of the site, or a building addition of thirty percent or greater, the CD zone does not require any

setbacks for the proposed building addition and parking lot. The building addition will be set back ten feet from the Frederick Avenue street lot line. The proposed parking lot will be set back three feet Peony Drive, and from the property line to the north as well. The master plan recommends a minimum ten foot setback from the residential properties to the north. With exception to a point-by-point connection to the north, the property does not directly abut the residentially zoned area. That being said, the proposed parking lot will be set back approximately twenty feet from any residentially zoned property.

### ***Required Parking***

The proposed parking lot will provide six parking spaces. The retail use of the property requires seven off street parking spaces, requiring a one space parking waiver, while a parking waiver is not necessary for occupancy with professional offices. Additionally, the applicant is requesting a waiver of the required parking aisle width from 26 feet to 24 feet, and is requesting approval for 8.5 foot wide parking spaces.

The waivers of the parking lot design requirements are being requested in an effort to limit the overall area of disturbance to a maximum of 5,000 square feet so as to eliminate the need for a stormwater management plan. The applicant has submitted a parking waiver statement which indicates that the proposed flower shop will have limited customer traffic as most business will be done by delivery van (Exhibit 8).

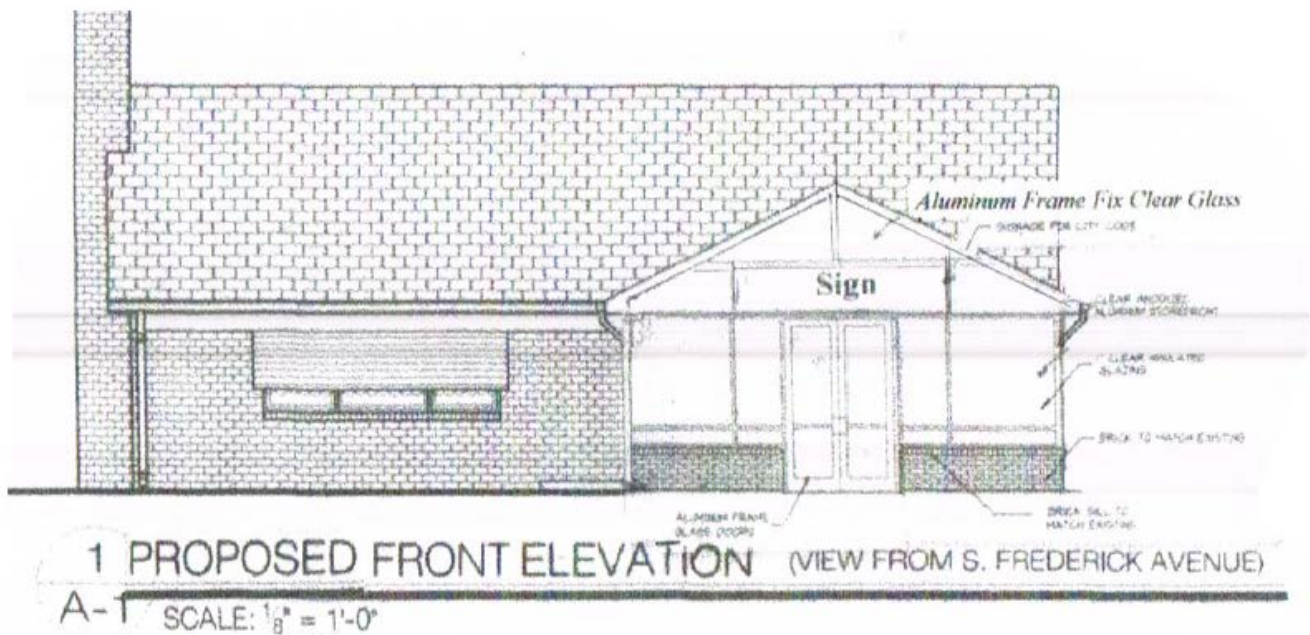
Engineering Services Director Mumpower has reviewed the site plan and has expressed concern that the proposed parking lot does not provide sufficient area for delivery vehicles to turn around on site. Additionally, the parking space at the north end of the parking lot will not have sufficient backing area to exit the site in a forward motion when all spaces on site are occupied. As such, this space is proposed for employee parking only. The applicant has indicated that the majority of deliveries of products and supplies to and from the florist business are expected to be provided by a van. In the limited situation where a larger delivery vehicle is necessary, the truck may park along Peony Drive, as is currently done for residential deliveries by FedEx and UPS. Garbage service can be provided by backing the vehicle on site from Peony Drive. Although such vehicular movements are not ideal on commercial properties, any vehicular conflicts should be very limited given the constraints on use the applicant has agreed upon. Additionally, staff has included a condition for approval that requires delivery vehicles larger than a van to park on Peony Street.

### ***Architecture***

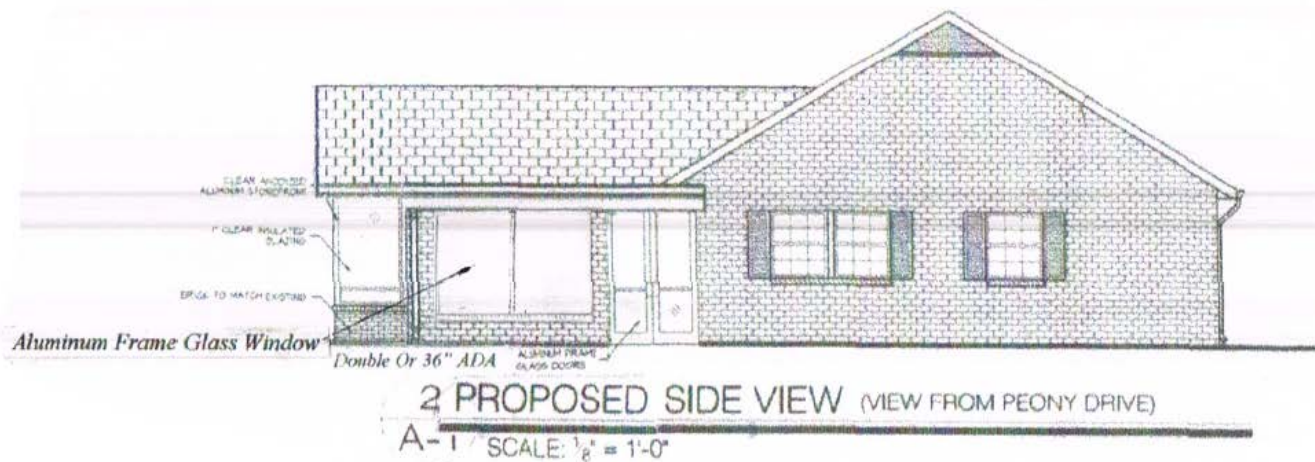
As noted, the applicant is proposing an 84 square foot building addition to the Frederick Avenue elevation of the existing structure to allow for an entryway alcove. Staff has worked extensively with the applicant over the past year regarding both the size and architectural design of the addition to achieve a design that is acceptable for application submittal. Additionally, staff has urged the applicant to hire a registered architect for the design of the addition, but has yet to do so.

It should be noted that staff supports the concept and size of the proposed addition, however, we remain concerned about the compatibility of the addition with the existing structure. The current proposal is the most compatible with the existing structure that has been presented to date, yet continues to be a stark contrast to the residential character of the existing building. While staff would have preferred modifications that were more in keeping with the existing building, and provided the applicant significant guidance as to what modifications would be preferred (Exhibits 12-15), the applicant has maintained that they prefer a more commercial appearance to the building and wish to add on to the structure to increase its visibility along Frederick Avenue. At this point, staff urges the Planning Commission to give clear architectural guidance to the applicant.

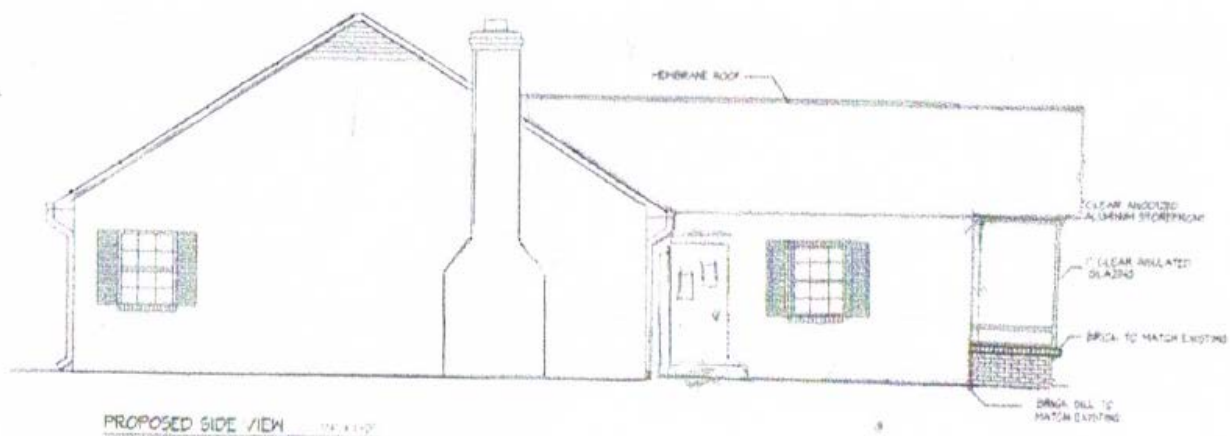
As proposed, the height of the addition is consistent with existing structure. The main elevation will have a commercial storefront design utilizing an aluminum frame structure with clear glass up to the rake of the roof, and future signage will be provided in conformance with the Sign Ordinance. A brick watertable will be provided to match the existing brick of the residential structure. It is not specifically indicated on the drawings, but it appears that the roof material will be asphalt shingles to match the existing roof material.



The commercial storefront addition wraps around to the Peony Street elevation. The existing building will be modified on this side to include a storefront window and typical commercial glass entry doors. Staff has previously requested that the base height of the new window in the existing structure match that of the proposed storefront addition, and has included this modification in the conditions for approval.



The storefront addition also wraps around the Frederick Avenue side view elevation. There is an existing entry and window on this elevation that will remain unaltered.



## VI. SUMMARY OF FINDINGS:

The proposed site plan is substantially similar to the approved concept site plan. Application CSP-12-001 facilitates commercial-office uses that demonstrate compliance with all required adequate public facility ordinance standards required by the City of Gaithersburg. The uses proposed were envisioned for this property under the 2001 Frederick Avenue Corridor Special Study Area Master Plan, and as such, the proposed development is consistent with the master plan and the intent of the CD Corridor Development Zone. The proposed site plan will require a one space parking waiver for retail uses, however, the applicant has agreed to limit the future reoccupancy of the building with light retail and professional office uses which should limit the demand for parking.

Staff also supports the concept and size of the proposed addition, however, we remain concerned about the compatibility of the addition with the existing structure, which is in

stark contrast to the residential character of the existing building. Staff would prefer modifications that were more in keeping with the existing building, and requests that the Planning Commission to give clear architectural guidance to the applicant.

## **V. CONCLUSION:**

Staff recommends that the Planning Commission make a motion to grant SP-0942-2012, **AMDNEMDENT TO FINAL SITE PLAN APPROVAL, FINDING IT IN COMPLIANCE WITH §24-170 OF THE CITY CODE, WITH THE FOLLOWING CONDITIONS:**

- 1. Stamped architectural plans must be submitted prior to issuance of a building permit which reflect the guidance of the Planning Commission.**
- 2. Delivery vehicles larger than a van must park on Peony Drive rather than enter on to the site.**
- 3. The applicant shall record the draft covenant listed as Exhibit 9 in the land records for Montgomery County prior to issuance of a use and occupancy permit.**
- 4. Prior to signature set and final approval of the final site plan, work with staff to resolve the Public Work concerns regarding lighting, signing, striping, passenger car turning radius, and additional construction details.**
- 5. The site plan shall be revised to provide signage restricting the furthest parking space from the existing building for employee parking only.**

**TO GRANT A One (1) SPACE PARKING WAIVER, AND TWO (2) FOOT WAIVER OF THE REQUIRED DRIVE AISLE DIMENSION FOR THE ADJOINING DRIVE AISLES, FINDING IT IN CONFORMANCE WITH §24-170 AND §24-172A OF THE CITY'S ZONING ORDINANCE.**



SP-0942-2012  
9/12/12

## PLANNING AND CODE ADMINISTRATION

City of Gaithersburg · 31 South Summit Avenue · Gaithersburg, Maryland 20877 · Telephone: (301) 258-6330 · Fax: (301) 258-6336  
plancode@gaitHERSBURGMD.GOV · www.gaitHERSBURGMD.GOV

# SITE or SCHEMATIC DEVELOPMENT PLAN APPLICATION

*All information must be complete to initiate processing of application*

### SUBJECT PROPERTY

Street Address or Location 311 S. Frederick Avenue, Gaithersburg, Md.

### APPLICANT/BILLING CONTACT

Business Name Macris, Hendricks & Glascock

Primary Contact Ray Burns

Street Address 9220 WIGHTMAN ROAD

Suite No. 120

City Montgomery Village

State Maryland

Zip Code 20886

Telephone Numbers: Work 301-670-0840 Cell \_\_\_\_\_ E-mail Address rburns@mhgpa.com

### OWNER

Business Name \_\_\_\_\_

Primary Contact Mohammed Ali Farshneshani

Street Address 311 S. Frederick Avenue

Suite No. \_\_\_\_\_

City Gaithersburg

State Maryland

Zip Code 20877

Telephone Numbers: Work \_\_\_\_\_ Cell \_\_\_\_\_ E-mail Address alexarsh12@gmail.com

### DEVELOPER

Business Name \_\_\_\_\_

Primary Contact Alex Arsh

Street Address 311 S. Frederick Avenue, Gaithersburg, Md.

Suite No. \_\_\_\_\_

City Gaithersburg

State Maryland

Zip Code 20877

Telephone Numbers: Work 301-503-2600 Cell \_\_\_\_\_ E-mail Address alexarsh12@gmail.com

### ATTORNEY

Business Name \_\_\_\_\_

Primary Contact \_\_\_\_\_

Street Address \_\_\_\_\_

Suite No. \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

Telephone Numbers: Work \_\_\_\_\_ Cell \_\_\_\_\_ E-mail Address \_\_\_\_\_

### ARCHITECT

Business Name \_\_\_\_\_

MD Registration No. \_\_\_\_\_

Primary Contact \_\_\_\_\_

Street Address \_\_\_\_\_

Suite No. \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Telephone Numbers: Work \_\_\_\_\_ Cell \_\_\_\_\_ E-mail Address \_\_\_\_\_

Planning Commission  
SP-0942-2013

**ENGINEER**

Business Name Macris, Hendricks & Glascock MD Registration No. \_\_\_\_\_  
Primary Contact Ray Burns  
Street Address 9220 WIGHTMAN ROAD Suite No. 120  
City Montgomery Village State Maryland Zip Code 20886  
Telephone Numbers: Work 301-670-0840 Cell \_\_\_\_\_ E-mail Address rburns@mhgpa.com

**PLAN TYPE (check one only)** ☐ Concept ☐ Preliminary ☒ Final ☐ Schematic Development

**PROPOSED PRIMARY USE (check one only)** ☐ Residential ☒ Non-Residential ☐ Mixed Use

**PROPOSED UNIT TYPE**  
☐ Office/Professional ☐ Restaurant ☒ Retail/Commercial  
☐ Residential Single Family ☐ Mixed Use ☐ Residential Multi-Family  
☐ Other Use (*specify*) \_\_\_\_\_

**PARKING** ☒ Parking Waiver Needed ☐ Height Waiver Needed  
Number of Spaces Required 7

**PROJECT DESCRIPTION**

Convert existing residential use into flower shop with a surface parking lot with 6 spaces

**SITE DETAILS**

Site Area Square Feet	<u>11,761</u>	Number of Dwelling Units/Lot	_____
Site Area Acres	<u>0.27</u>	Number of Dwelling Units/Acre	_____
Green Area	<u>5338</u>	Parking Spaces Provided	<u>6</u>
Green Area %	<u>46.3</u>	Height of Tallest Building (ft.)	<u>20</u>
		Height of Tallest Building (stories)	<u>1</u>

**SQUARE FOOTAGE - NON-RESIDENTIAL**

Retail	<u>1080</u>	Office/Professional	_____
Restaurant (A)	_____	Educational/Institutional/Religious	_____
Restaurant (B)	_____	Industrial	_____
Restaurant (C)	_____	Other ( <i>please specify</i> )	_____

**UNIT COUNTS - RESIDENTIAL**

Single Family Detached Units	_____	Apartment Units	_____
Townhouse Units	_____	Condominium Units	_____
Duplex Units	_____	Other ( <i>please specify</i> )	_____

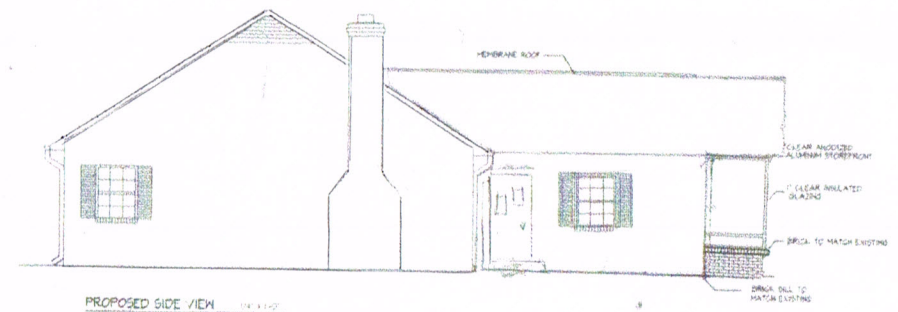
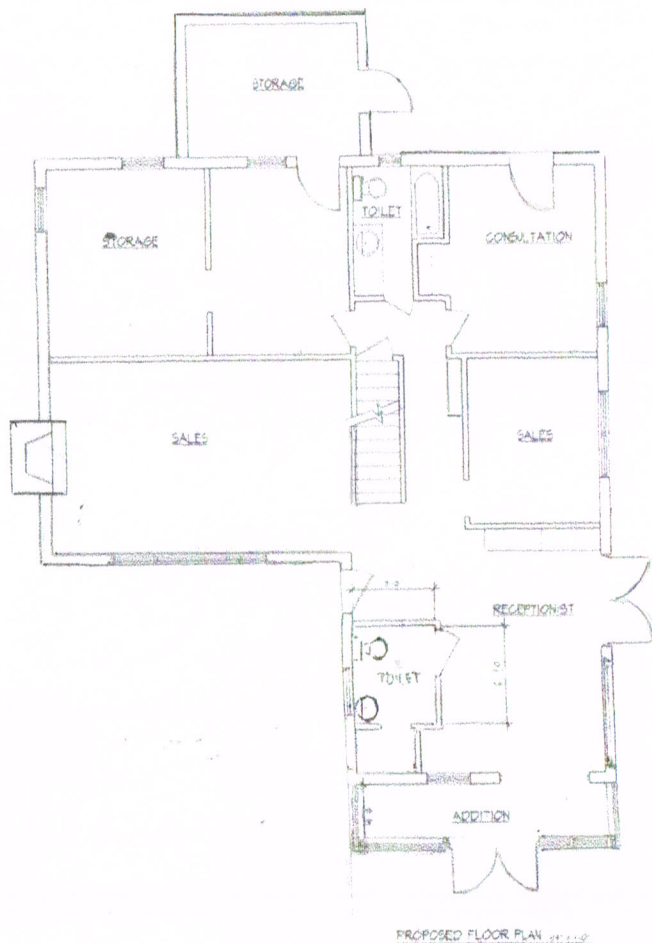
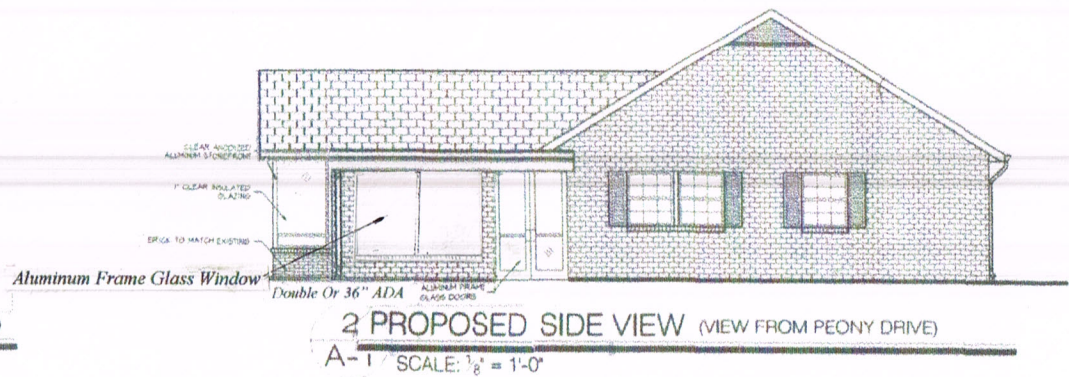
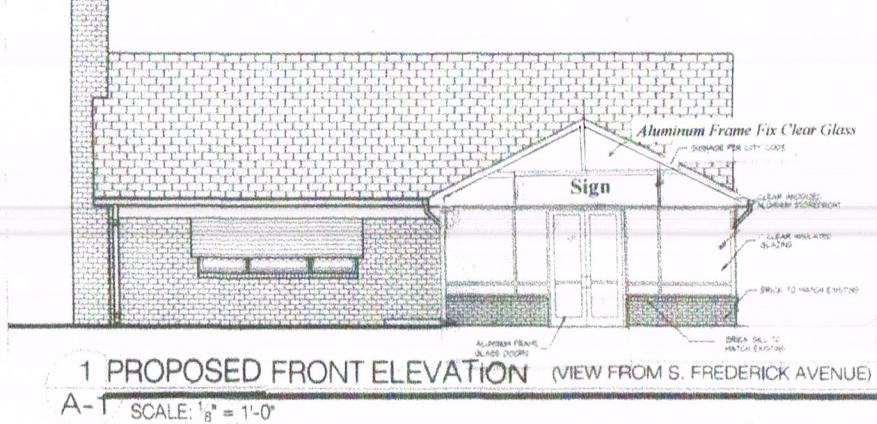
Total Number Residential Units \_\_\_\_\_

**SEE FOLLOWING PAGES FOR SUBMISSION REQUIREMENTS**







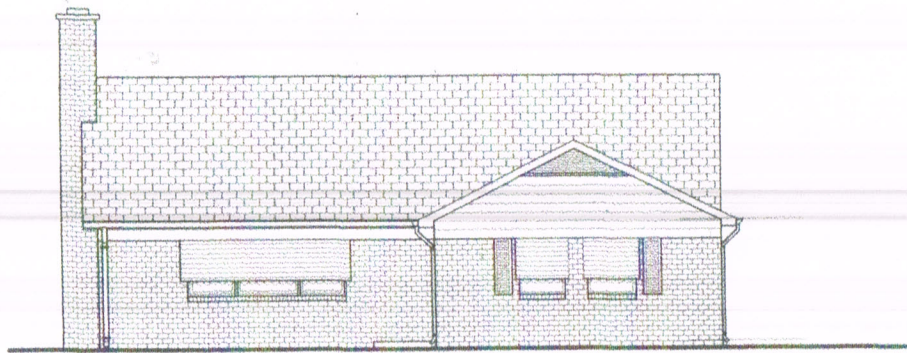


**311 SOUTH FREDERICK AVE. GAITHERSBURG, MD 20878**  
**NEW ENTRY WAY, NEW PROPOSED AREA 87+- (19'X4'. 6")SQFT ADDING**  
**TO THE EXISTING FRONT SIDE BUILDING WITH THE SAME EXISTING**  
**HIGHT(15') AND LENGTH (19')AND 4'.6" WIDTH.**

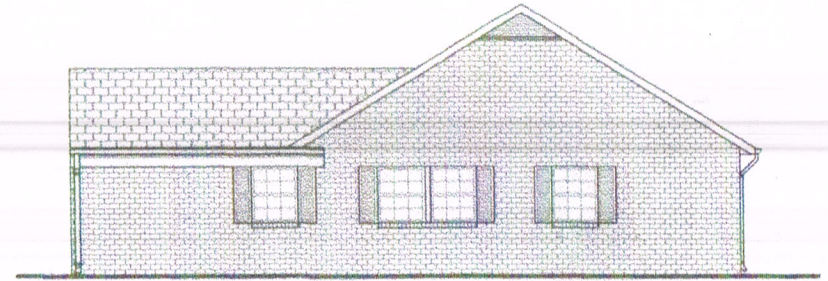
Proposed addition materials included:

- Clear Anodized Aluminum Store Front
- 1" Clear Insulated Glazing
- Brick to match existing
- Aluminum Glass Frame Door
- Brick sill to match the existing

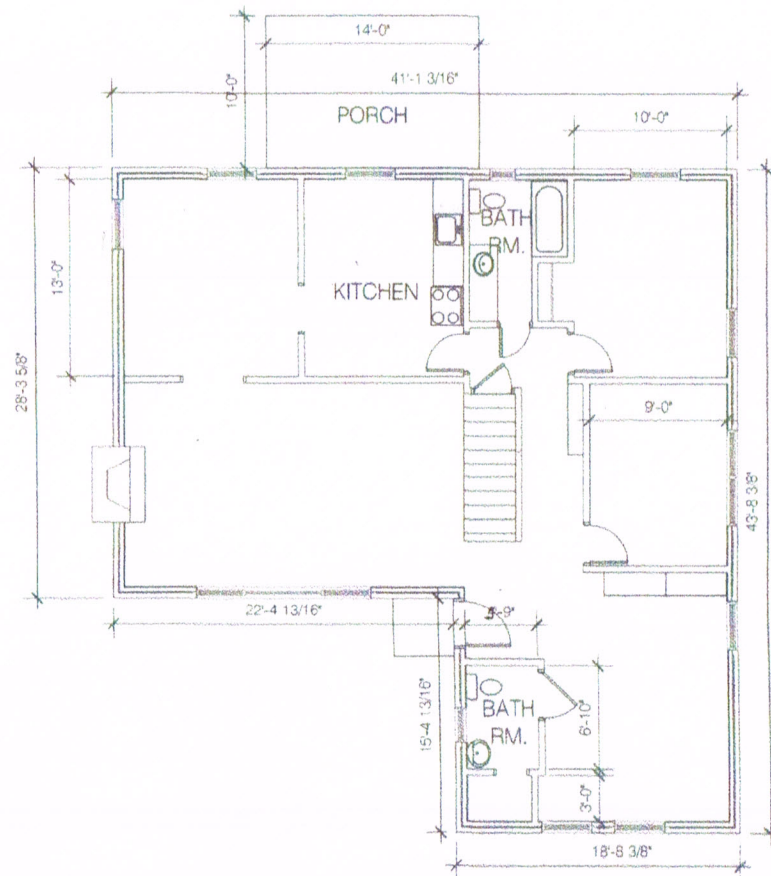
Planning Commission  
 SP-0942-2012



1 EXISTING FRONT ELEVATION (VIEW FROM S. FREDERICK AVENUE)  
A-1 SCALE:  $\frac{1}{8}" = 1'-0"$



2 EXISTING SIDE VIEW (VIEW FROM PEONY DRIVE)  
A-1 SCALE:  $\frac{1}{8}" = 1'-0"$

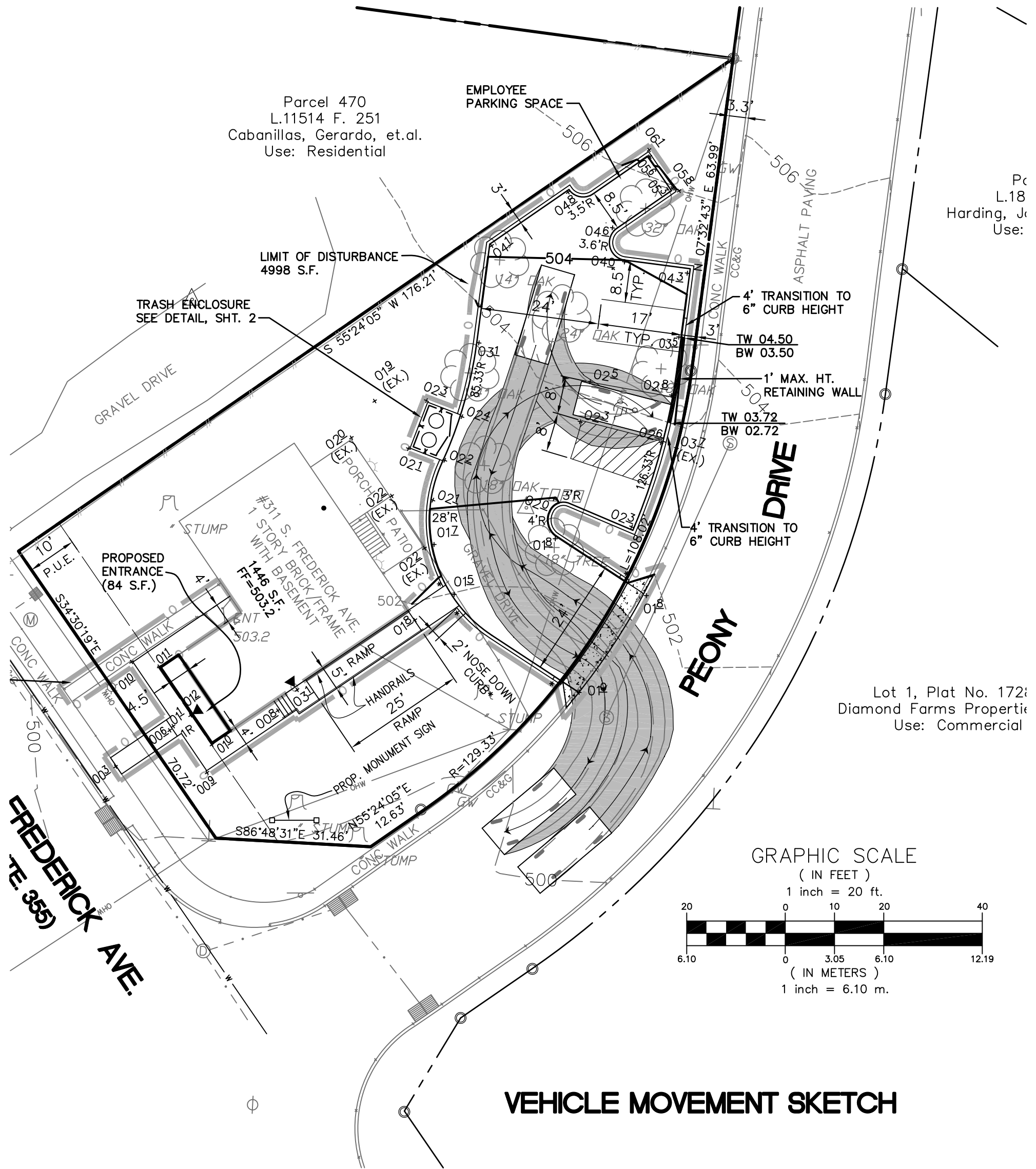


1 EXISTING FLOOR PLAN  
A-2 SCALE:  $\frac{1}{4}" = 1'-0"$





















June 21, 2013

Mr. John Bauer  
City of Gaithersburg  
Planning Commission  
31 South Summit Avenue  
Gaithersburg, MD 20877

Re: Deer Park Parcel 469  
Final Site Plan SP-0942-2012  
MGH Project No. 2012.113

Dear Mr. Bauer,

On behalf of our client, Mr. Mohammad Ali Farshneshani, we hereby request waivers for the required number of parking spaces, drive aisle width, and width of parking spaces, to serve the proposed development for the above project.

Mr. Farshneshani proposes to establish a flower shop in the existing residential building at 311 S. Frederick Avenue. We are also requesting additional uses be approved for the site. An 84 s.f. entry feature addition to the existing structure is proposed. The gross floor area for the first floor is 1530 s.f. Of this, 1030 s.f. will be gross leasable area; the remainder is storage area. For the storage area the parking requirement is one space. For the retail area the requirement is 6 spaces. The required number of parking spaces based on this information is calculated to be 7, including one ADA accessible space.

We are requesting a waiver of the parking requirement for 1 parking space. The majority of the business generated by the shop is expected to be phone in orders and internet orders. Additionally, only one employee will be on-site during the business hours of 10:00 a.m. to 6:00 p.m., Monday through Saturday. One other employee will be making deliveries from 2:00 p.m. to 6:00 p.m. Monday through Saturday. Little in-store customer traffic is expected, and may not use the parking lot to its full capacity of 6 spaces. If needed, additional on-street parking is available on Peony Drive.

In an effort to keep the disturbed area of the project under 5,000 s.f., eliminating the need for stormwater management, we are requesting a waiver from the proposed minimum drive aisle width of 26' in the parking lot. We are proposing 24'. Additionally, we request a waiver from the minimum parking space width of 9'. We are proposing 8.5'. Due to the limited volume of traffic expected, we do not believe the reduced widths will pose a safety problem for customers using the parking lot.

Please contact me if additional information is needed to process this parking waiver request. Thank you for your assistance.

Respectfully,

A handwritten signature in black ink, appearing to read "Ray Burns", written in a cursive style.

Ray Burns

## DECLARATION OF COVENANTS

THIS DECLARATION OF COVENANTS is made this 18th day of April, 2013, by MOHAMMAD A. FARSHNESHANI ("Declarant").

## RECITALS

R-1. Declarant is the owner of certain real property located within the municipal boundaries of the City of Gaithersburg, Maryland. Said property is described in Schedule A attached and is addressed as 311 South Frederick Avenue, Gaithersburg ("Subject Property").

R-2. The Subject Property was the subject of Concept Site Plan CSP 12-001 approved by the Mayor and City Council of Gaithersburg by Resolution No. R-58-12 adopted August 12, 2012.

R-3. Condition No. 4 of said City Council Resolution provided:

"4. The Applicant shall record a covenant in the land records for Montgomery County which indicates in specific language that the property is restricted in its use and/or development standards and which also indicates that such restrictions shall be in effect until such time as the property may be rezoned or redeveloped, at which time such restrictions shall be removed, be filed in the land records prior to the issuance of a Use and Occupancy permit."

R-4. Declarant desires, by this Declaration of Covenants, to subject the Subject Property to the covenants, conditions and restrictions hereinafter set forth as required by the Mayor and City Council of Gaithersburg's approval of Concept Site Plan 12-001.

NOW, THEREFORE, Declarant hereby declares that the Subject Property shall be held, sold, and conveyed subject to the following covenants, conditions and restrictions which shall run with the Subject Property and be binding on all parties having any right, title or interest in the Subject Property.



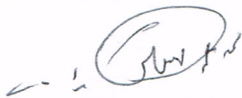
1. The use and/or development of the Subject Property is limited to light retail, office and residential uses, such as the following or similar:

- Antique shops
- Barber and beauty shops
- Dwellings, one-family detached
- Florist shops
- Home based business only associated with a dwelling as a principal use and subject to conformance with Article X of the Zoning Ordinance
- Jewelry stores
- Offices for professional or business purposes, including but not limited to medical, law, real estate, and insurance
- Photography and artist studios
- Shoe repair shops
- Tailoring and dressmaking shops

2. These covenants, conditions and restrictions shall remain in place until the Subject Property is rezoned, or is otherwise released or modified with the consent of the City of Gaithersburg.

IN WITNESS WHEREOF, the undersigned party has executed this Declaration of Covenants this 18-1- day of April, 2013.

ATTEST:



4-18-2013 Mohammad A Farshneshani  
MOHAMMAD A. FARSHNESHANI

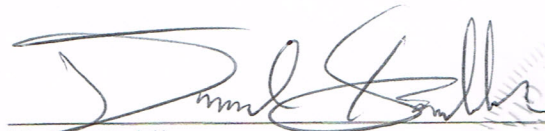
STATE OF MARYLAND )

)to-wit:

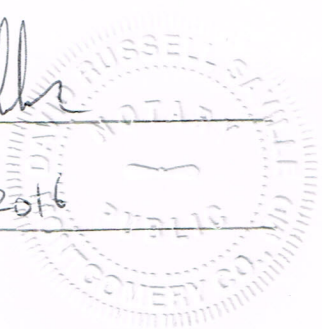
COUNTY OF MONTGOMERY )

On this 18th day of April, 2013, before me, the undersigned officer, personally appeared MOHAMMAD A. FARSHNESHANI, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing Declaration of Covenants and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and official seal the day and year first above written.

  
\_\_\_\_\_  
Notary Public

My Commission expires: 2/16/2016



## **SCHEDULE A**

### **DESCRIPTION OF SUBJECT PROPERTY**

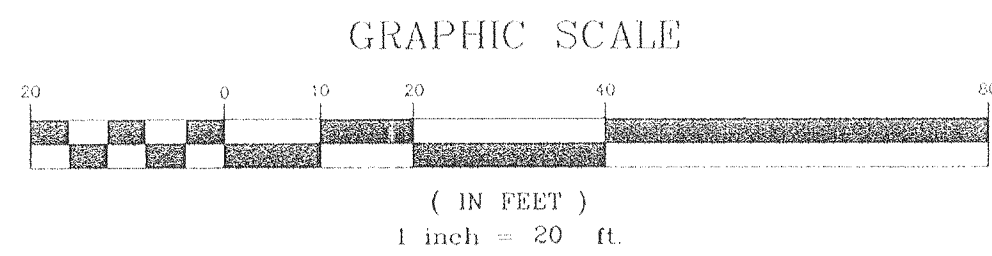
A parcel of land known as P469 as shown on Tax Map FT 561 containing 11,761 square feet of area and addressed as 311 South Frederick Avenue, Gaithersburg.

Being also that property described in a deed recorded among the Land Records of Montgomery County, Maryland on October 20, 2011 in Liber 42441 at Folio 345–348 as follows:

All that piece of parcel of land, situate, lying and being in the Town of Gaithersburg, Montgomery County, Maryland containing 0.34 acres and being part of the subdivision of part of “DEER PARK”, Gaithersburg, Montgomery County, Maryland as shown on plat recorded in Plat Book no. 18 at plat 1152 among the Land Records of Montgomery County, Maryland.


SAVING AND EXCEPTING that 3,273 square feet of land conveyed to the State of Highway Administration by Deed recorded in Liber 5613 at folio 860 among the Land Records of Montgomery County, Maryland.

Tax Identification No. 9-207-00833503



Professional Certification:

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the laws of the State of Maryland, license No. 10660, Expiration Date: 10-30-13

  
James W. Hendricks



CITY OF GAITHERSBURG PLANNING COMMISSION  
31 SOUTH SUMMIT AVENUE, GAITHERSBURG, MARYLAND 20877

**SITE PLAN APPROVAL**

AT THE REGULARLY SCHEDULED MEETING OF THE PLANNING COMMISSION HELD ON August 13, 2012

APPLICATION NO. CSP-12-001 WAS GRANTED

**CONCEPT SITE PLAN APPROVAL**

(WITH five (5) CONDITIONS. SEE 8-58-12 EXHIBIT)







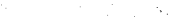

















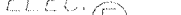







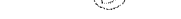

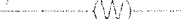







DATE 8/29/12 BY J. Purn

**NOTE:** ANY REVISIONS TO PLANNED PLANS MUST BE REAPPROVED BY THE PLANNING COMMISSION

[illegible]

PERMITTED USES  
Light Retail, Office and Residential such as below and etc.

### Legend

EXISTING		PROPOSED
Right-of-Way		
LOD		
Paving		
Curb & Gutter		
Sign		
Utility Pole		
Lamp Post		
Post or Bollard		
Tree		
Electric		
Overhead Wires		
Sanitary Sewer		
Storm Drain		
Water Line		
Fire Hydrant		
Gas		
Telephone		
Buildings		
Concrete		
Spot Elevation		
Contour		



1. TOTAL SITE AREA = 0.26 ACRES (11,524 S.F.) AND CONSISTS OF PARCEL 469, LBER 42441, FOLIO 345. PROPERTY IS LOCATED ON THE EAST SIDE OF SOUTH FREEDRICK AVENUE (MD ROUTE 359) AT THE INTERSECTION OF PEGRY DRIVE.
2. CONTOUR TOPOGRAPHY ON-SITE FROM MACRIS, HENDRICKS & GLASCOCK SURVEY IN APRIL 2012.
3. BOUNDARY INFORMATION FROM MACRIS, HENDRICKS & GLASCOCK, P.A. SURVEY IN APRIL 2012.
4. THE PROPERTY IS ZONED CD (CORRIDOR DEVELOPMENT).
5. THE SITE DRAINS TO THE MUDDY BRANCH WATERSHED AND IS DESIGNATED AS CLASS I-P WATERS BY THE STATE OF MARYLAND. THERE IS NO MAPPED MNCPPC OR FEMA 100-YEAR FLOODPLAIN.
6. NO WETLANDS, STREAMS, SEEPS, OR SPRINGS EXIST ON-SITE.
7. ALL UTILITIES (WATER, SEWER, STORM DRAIN, CULVERTS, ELECTRIC, PHONE) ARE SHOWN IN APPROXIMATE LOCATIONS.
8. THE PROPERTY IS NOT LISTED AS A HISTORIC SITE BY MNCPPC'S 'LOCAL ANTIAtlas & INDEX OF HISTORIC SITES IN MONTGOMERY COUNTY, MARYLAND'. THE PROPERTY IS NOT LISTED AS A HISTORIC SITE NOR IS IT LOCATED WITHIN A HISTORIC DISTRICT ACCORDING TO MNCPPC'S 'PLACES FROM THE PAST: THE TRADITION OF GARETZ BEN IN MONTGOMERY COUNTY, MARYLAND, 2001'. NO STRUCTURE OR EVIDENCE SUGGESTING HISTORICAL OR ARCHAEOLOGICAL SIGNIFICANCE WAS OBSERVED DURING SITE INVESTIGATION.
9. NO RARE, THREATENED OR ENDANGERED SPECIES WERE OBSERVED ON-SITE.
10. THIS PLAN IS VALID AS LONG AS SITE COMPLIES WITH SECTION 22-7(b)(3) AND SECTION 24-73 OF GAITHERSBURG CITY CODE.

Parking Lot Area = 3,585 s.f.

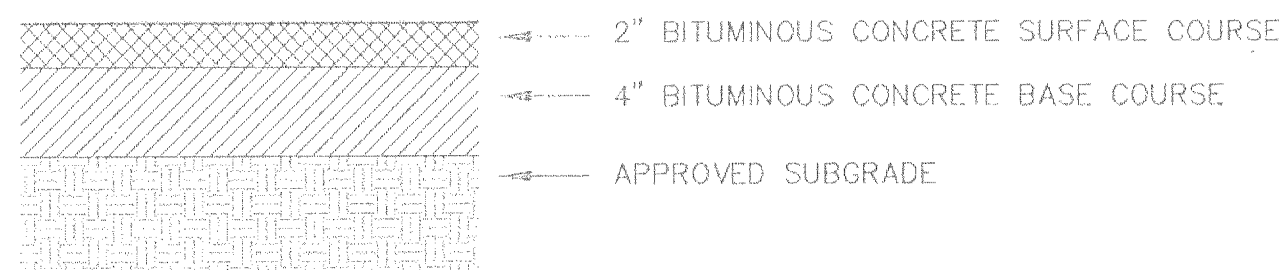
WSSC 223 NW 09

Planning Commission  
SP-0942-2012  
10

Phone 301.670.0840  
Fax 301.948.0693  
[www.mhghpa.com](http://www.mhghpa.com)

Proj. Mgr. RJB	Designer RJB
Date 4-24-12	Scale 1"=20'
Project No. 12.113.12	Sheet 1 of 2



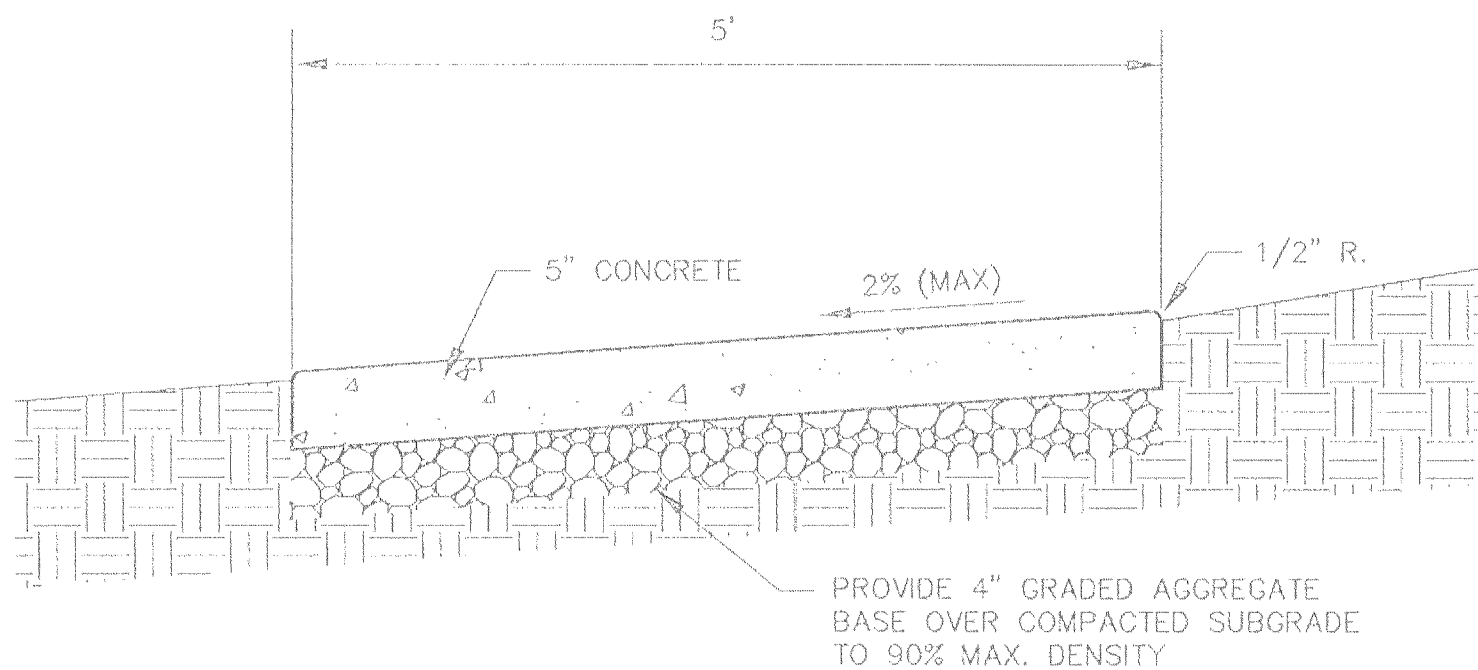


PAVING SECTION \*

THE PAVING SECTION SHOWN IS NOT BASED ON A GEOTECHNICAL REPORT BUT IS BASED ON THE PAVEMENT SECTION PROVIDED BY THE CITY OF GAITHERSBURG IN ACCORDANCE WITH MONTGOMERY COUNTY STANDARD No. MC-211.01, AS MODIFIED BY SUBSECTION 19-15(f) OF CITY OF GAITHERSBURG CODE OF ORDINANCES. THE CONTRACTOR MUST HAVE THE SOIL TESTED AT THE TIME OF CONSTRUCTION BY A PROFESSIONAL GEOTECHNICAL ENGINEER. THE GEOTECHNICAL ENGINEER IS TO DESIGN A PAVING SECTION BASED ON THE SOIL TEST RESULTS AND THE PROPOSED USES.

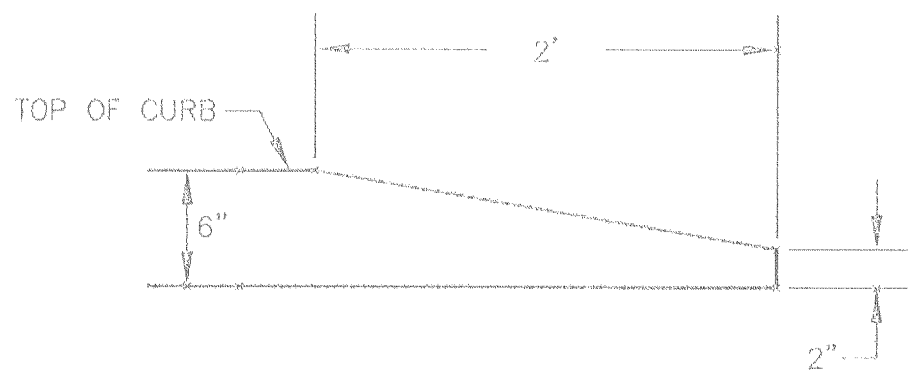
MACRIS, HENDRICKS & GLASCOCK, P.A. MAKES NO GUARANTEE OR WARRANTY EITHER ASSUMED OR IMPLIED AS TO THE SUITABILITY OF THIS PAVING SECTION AND ASSUMES NO LIABILITY IN PROVIDING THE PAVEMENT SECTION SHOWN HEREON OUR DRAWINGS. THIS PAVEMENT SECTION IS PLACED HEREON SOLELY FOR THE CONVENIENCE OF THE OWNER AND THE CONTRACTOR.

\* The subbase is to be prepared in strict accordance with the Project Specifications and the recommendations of the geotechnical engineer. The subbase is to be tested by a professional geotechnical engineer after the grading operations are complete and prior to pavement construction. The geotechnical engineer is to provide written confirmation to the owner, architect and the contractor that the subbase has been prepared in accordance with the Project Specifications and the recommendations of the soils engineer and that the Pavement Section shown hereon is will be suitable for the proposed uses.

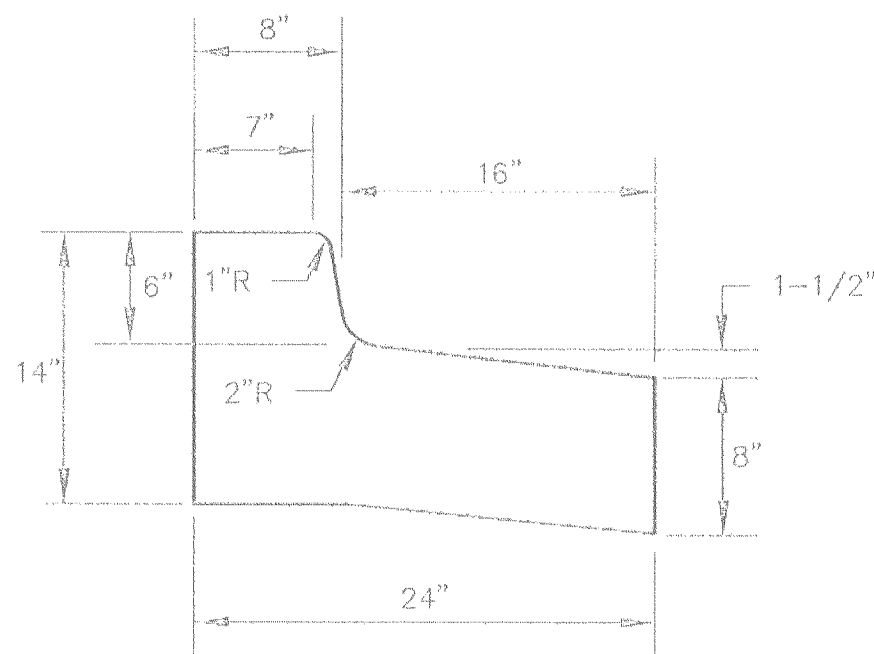


CONCRETE SIDEWALK DETAIL

REFER TO MCDPW&T STD. MC-110.01 & MC-111.01 FOR CONSTRUCTION DETAILS.  
USE MSHA CONCRETE MIX #3

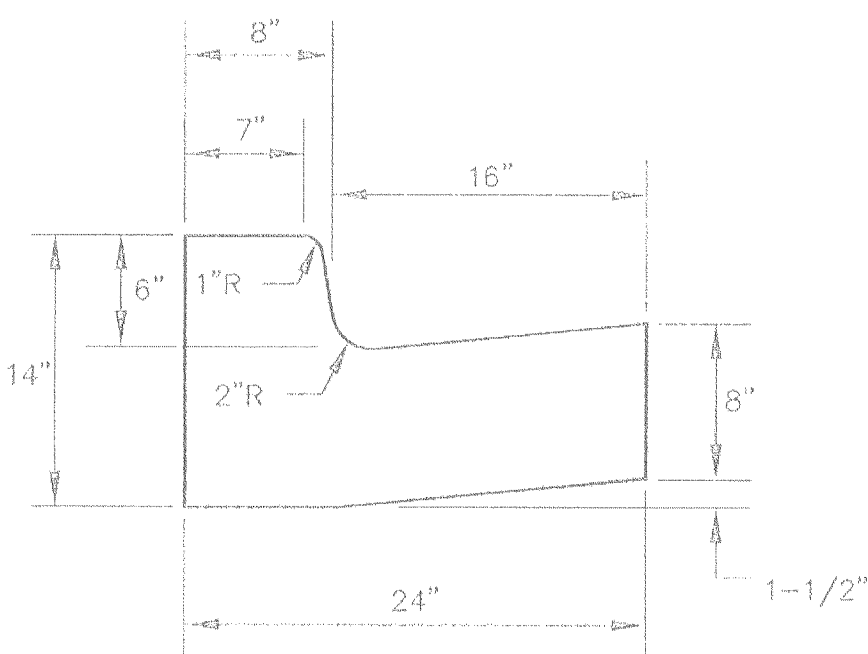


NOSE DOWN CURB DETAIL



SPILL CURB AND GUTTER

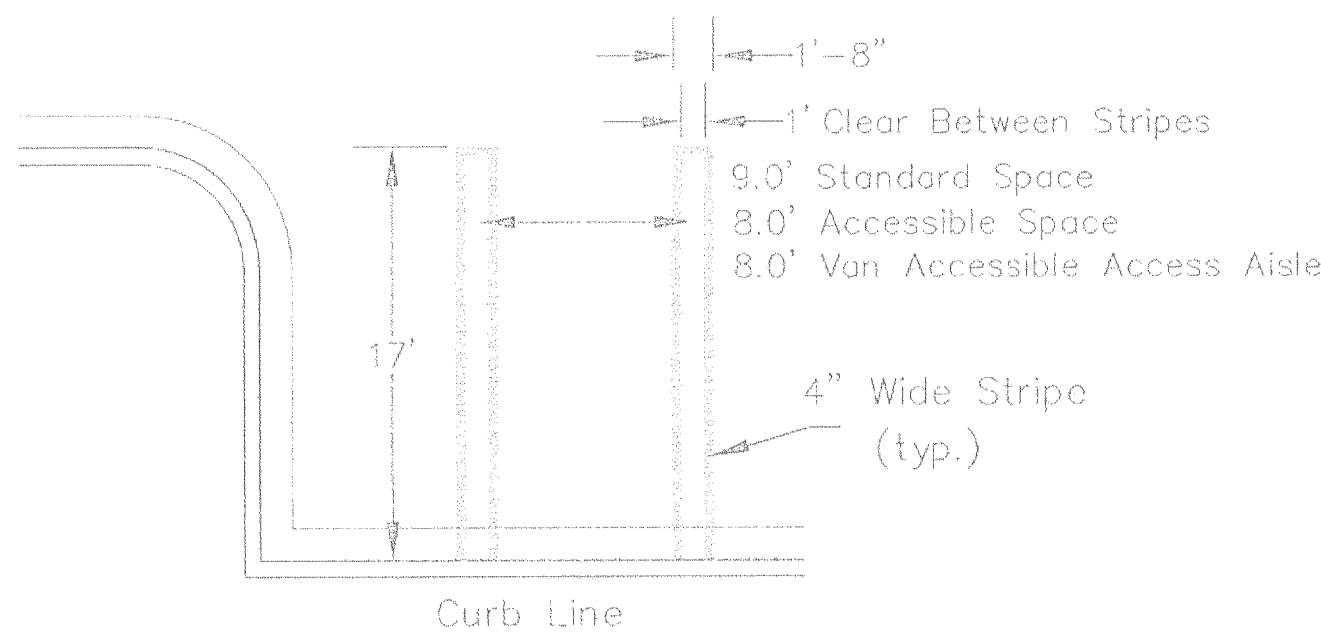
USE WHERE PAVEMENT SLOPES AWAY FROM CURB



STANDARD

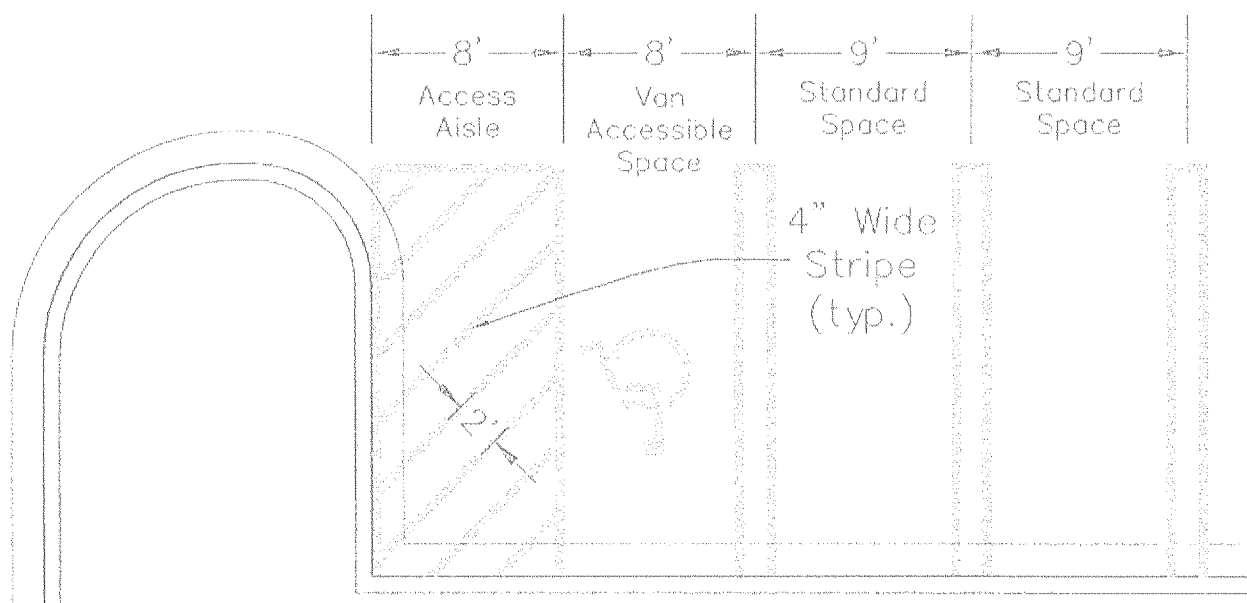
CONCRETE CURB AND GUTTER DETAILS

REFER TO MCDPW&T STD. MC-100.01 FOR CONSTRUCTION DETAILS.  
USE MSHA CONCRETE MIX #3



TYPICAL PARKING SPACE STRIPING DETAIL

1/8"=1'



ACCESSIBLE PARKING STRIPING DETAIL

1/8"=1'

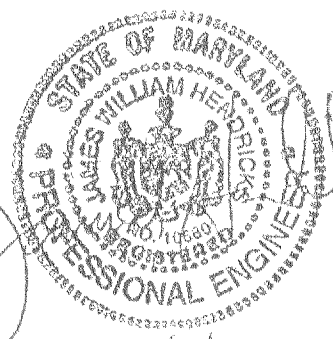
Call "Miss Utility" at 1-800-257-7777,  
48 hours prior to the start of work.

The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 36A of the Montgomery County Code.

Professional Certification:

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the laws of the State of Maryland, License No. 10060, Expiration Date: 10-30-13

James W. Hendricks



PREPARED FOR:

Mr. Alex Arsh  
311 South Frederick Road  
Gaithersburg, MD 20877  
AlexArsh12@gmail.com  
301.503.2600

NO.	DATE	DESCRIPTION	BY

TAX MAP FT 561

WSSC 223 NW 09

CONCEPT SITE PLAN DETAILS  
PARCEL 469

DEER PARK

L.42441 F.345

9TH ELECTION DISTRICT - CITY OF GAITHERSBURG - MARYLAND



Macris, Hendricks & Glascock, P.A.  
Engineers ■ Planners  
Landscape Architects ■ Surveyors

9220 Wightman Road, Suite 120  
Montgomery Village, Maryland  
20886-1279

Phone 301.670.0840  
Fax 301.948.0593  
www.mhgoa.com

Proj. Mgr. RJB	Designer RJB
Date 4-24-12	Scale 1"=20'
Project No. 12.113.12	Sheet 2 of 2

## RESOLUTION NO R-58-12

### RESOLUTION OF THE MAYOR AND CITY COUNCIL OF GAITHERSBURG GRANTING APPROVAL OF CONCEPT SITE PLAN CSP-12-001 FOR LIMITED COMMERCIAL USES LOCATED IN THE CD (CORRIDOR DEVELOPMENT) ZONE AT 311 SOUTH FREDERICK AVENUE

#### CSP-12-001

#### OPINION

Application CSP-12-001 has come before the Mayor and City Council for approval of a change in use from residential to commercial use, specifically requesting the initial occupancy of the structure with a florist shop, and also requesting the approval for future occupancy with limited commercial uses including professional and medical offices. The proposed concept site plan also requests approval for a six-space parking lot with a one-space parking waiver. The City Council's authority in this matter is pursuant to § 24-160G 6(c) of the City of Gaithersburg Zoning Ordinance (Chapter 24 of the City Code), which authorizes the City's Mayor and Council and Planning Commission to conduct a public hearing regarding a concept site plan, and further, § 24-160G 7(b), in which the Mayor and City Council can approve a concept site plan only after certain findings have been made.

The subject property is located at 311 South Frederick Avenue, Gaithersburg, Maryland, in the CD (Corridor Development) Zone.

#### OPERATIVE FACTS

##### A. Background and Current Application

The subject property (Parcel P469) contains 0.27 acres (11,761 square feet) and is currently developed with a 1,446-square foot, one-story residential dwelling. On May 10, 2012, Mr. Mohammad Ali Farshneshani filed an application requesting concept site plan approval for a change in use from residential to a retail use, specifically requesting the initial occupancy of the structure with a florist shop, and also requesting approval for future occupancy with limited commercial uses, including professional and medical offices. The proposed concept site plan also requests approval for a six-space parking lot with a one-space parking waiver.

The Mayor and City Council held a public hearing regarding concept site plan application CSP-12-001 on July 2, 2012. The applicant's representatives presented the application. No public testimony, either written or verbal, was received during the course of the public hearing. During the course of the hearing, the Mayor and

Council expressed the following questions and concerns regarding the proposed plan

- The amount of future landscaping surrounding the proposed parking lot;
- Stormwater management; and
- The setbacks of the proposed parking lot.

In response to the issues above, the staff indicated that the amount of land area disturbed by the proposed parking lot will be less than 5,000 square feet, and as such, the City Code does not require stormwater management for the parking lot. Additionally, the Zoning Ordinance does not require a setback for the parking lot. The master plan recommends that a minimum ten (10) foot setback be provided from any residential property. The proposed parking lot will be set back at least twenty (20) feet from the nearest residential property to the north

Following the public hearing, the public record was held open until 5 PM on July 27, 2012. The applicant submitted a concept landscape plan in response to concerns raised at the public hearing. No additional written testimony for or against the proposed application was received during the open record.

#### B Evaluation and Findings

The City Council, upon careful review of the evidence of record, agrees with the findings, conclusions and recommendations of approval of Application CSP-12-001 by the City staff. The City Council finds those recommendations to be well reasoned and adopts and incorporates their findings as part of this action. The City Council further agrees that the procedures governing the application for the CD Zone and approvals necessary to seek building permits are subject to a multi-step process and that this is only one of several steps of the process, which subsequently includes Final Site Plan reviews and approvals.

In reviewing the subject application for the approval of Concept Site Plan CSP-12-002, the City Council finds the application and development proposal meets or accomplishes the purposes, objectives, and minimum standards and requirements of the CD Zone that are set forth in Chapter 24 (Zoning), Article III, Division 19 of the City Code.

The City Council finds that the application meets the submission requirements and the standards and requirements for approval of the subject concept site plan in that:

- 1) The applicant filed, together with the prescribed application fee, an application for approval of a concept site plan,
- 2) Staff determined that Concept Site Plan Application CSP-12-001 was complete and contains all the information and components required



under §24-169(b) of the City Code,

- 3) The City Council conducted a public hearing regarding the proposed application subject to the notification procedures in § 24-196 of the Code,
- 4) The Council is taking action on the application within ninety (90) days after the close of the Council's hearing record on July 27, 2012

Furthermore, the City Council finds from the evidence of record that the application for concept site plan approval, CSP-12-001, as currently amended, fulfills the findings required under § 24-160G 7 (b) - Findings required, which states

- (1) The plan is substantially in accord with architectural, signage, lighting, streetscape, parking and other regulations, requirements and guidelines adopted by the city council for the applicable corridor area.
  - a Application CSP-12-001 provides for adaptive reuse of structures and more intense development along South Frederick Avenue called for in the 2001 Frederick Avenue Corridor Special Study Area Master Plan
  - b Application CSP-12-001 will provide landscaping and sidewalk improvements along South Frederick Avenue in conformance with the 2001 Frederick Avenue Corridor Special Study Area Master Plan Further, the application will provide dedicated pedestrian ways among streets, parking, and the building entrance, and ensures that public streets are fronted by buildings
  - c Application CSP-12-001 complies with the residential setback guidelines provided within the 2001 Frederick Avenue Corridor Special Study Area Master Plan Specifically, the proposed parking lot will be setback a minimum of twenty (20) feet from the nearby residential property This setback area will be fully landscaped as indicated on the concept landscape plan provided by the applicant ,subsequent to the public hearing (Exhibit 19)
- (2) The plan meets or accomplishes the purposes, objectives and minimum standards and requirements of the zone.
  - a Application CSP-12-001 will provide economic vitality by expanding the leasable commercial space within the Southern Residential District of the CD Zone
  - b Application CSP-12-001 provides for the renovation of aging and declining structures found along Frederick Avenue
  - c The concept site plan CSP-12-001 (Exhibit 3) provides for the enhancement of pedestrian facilities along South Frederick Avenue and Peony Drive by the addition of landscaped planting strips and improved sidewalks/paths
  - d The concept site plan CSP-12-001 (Exhibit 3) provides parking facilities that meet or exceed the design requirements of the City Code The proposed parking lot will provide landscaped setbacks from adjoining

properties and Peony Drive even though no setback is required. Additionally, dedicated pedestrian ways among streets, parking and the building entrance are included within the proposed plan.

(3) The plan is in accord with the area master plan and any accompanying special condition or requirements contained in said master plan for the area under consideration.

- a. The subject property is located within the study limits of the Southern Residential District of the 2001 Frederick Avenue Corridor Special Study Area Master Plan.
- b. Application CSP-12-001 provides for the adaptive reuse of the existing residential structure as specifically identified by the 2001 Frederick Avenue Corridor Special Study Area Master Plan and the associated Design Guidelines.

(4) The plan will be internally and externally compatible and harmonious with existing and planned land uses in the CD zoned area and adjacent areas.

Application CSP-12-001 facilitates commercial-office uses that demonstrate compliance with all required Adequate Public Facility Ordinance (APFO) standards required by the City of Gaithersburg and will not have an adverse effect on adjacent properties or on the character of the Corridor. The uses proposed were envisioned for this property under the 2001 Frederick Avenue Corridor Special Study Area Master Plan. The surrounding land uses include religious, office, public and residential. Further, all of the commercial uses along the stretch of Frederick Avenue between South Summit Avenue and Peony Drive are located within residential structures adaptively reused for commercial uses.

(5) The existing or planned public facilities are adequate to service the proposed development contained in the plan.

- a. The subject property currently has WSSC water and sewer categories of W-1 and S-1 respectively.
- b. Three fire stations provide ten-minute response times to the site:
  - i. Rockville Fire Station 3, located on Hungerford Drive,
  - ii. Gaithersburg-Washington Grove Fire Station 8, located on Russell Avenue, and
  - iii. Gaithersburg Fire Station 28, located at the intersection of Shady Grove and Muncaster Mill Roads.
- c. Since the application proposes a commercial use, it will have no impact on the school system.
- d. In accordance with the City's Adequate Public Facilities Ordinance, the applicant has submitted a traffic statement dated May 7, 2012 (Exhibit 5), indicating that the proposed project will not generate more than 30 peak hour trips. Engineering Services Director Ollie Mumpower has reviewed

the traffic statement and agrees with it. The APFO states that a traffic impact study (TIS) shall be required for any new development that generates 30 or more total weekday trips during the peak hour of the morning and/or evening peak period of the adjacent roadway traffic. Because this development falls below the 30 vehicle threshold a TIS is not required

- (6) The development staging or phasing program if any, is adequate in relation to the provision of public facilities and private amenities to service the proposed development:

The proposed plan will be implemented in one phase

- (7) The plan, if approved, would be in the public interest:

Application CSP-12-001 provides for the adaptive reuse of a currently dilapidated residential structure situated at the corner of South Frederick Avenue and Peony Drive. The project will fulfill City objectives by increasing the commercial presence along Frederick Avenue and increase available leasable space within the corridor. This will provide a larger tax base for the City to generate additional revenue that can help support a wider array of public programs, services, and improvements.

- (8) The existing buildings with historic significance are considered for preservation and retention pursuant to the city's Historic Preservation Ordinance.

Application CSP-12-001 intends to preserve and adaptively reuse the existing residential structure.

#### SCHEMATIC DEVELOPMENT PLAN SDP-11-002

#### RESOLUTION

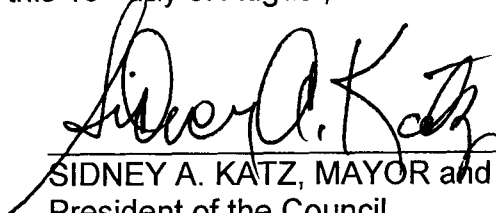
NOW, THEREFORE, BE IT ORDAINED by the City Council of Gaithersburg, that CSP-12-001, being an application filed by Mohammad Ali Farshneshani, requesting approval of a concept site plan is hereby approved, subject to the following conditions required of the applicant:

- 1 The applicant shall revise the site plan to provide a dumpster enclosure as part of final site plan approval
- 2 A lighting plan for the parking lot shall be provided by the applicant at final site plan approval
- 3 Delivery vehicles larger than a van must park on Peony Drive rather than enter onto the site
- 4 The applicant shall record a covenant in the land records for Montgomery County, which indicates in specific language that the


property is restricted in its use and/or development standards and which also indicates that such restrictions shall be in effect until such time as the property may be rezoned or redeveloped, at which time such restrictions shall be removed, be filed in the land records prior to the issuance of a Use and Occupancy permit.

- 5 The applicant should consider using pervious pavement for the parking lot at final site plan approval

ADOPTED by the City Council this 13<sup>th</sup> day of August, 2012

  
\_\_\_\_\_  
SIDNEY A. KATZ, MAYOR and  
President of the Council

THIS IS TO CERTIFY that the foregoing  
Resolution was adopted by the City Council  
in public meeting assembled on the 13<sup>th</sup> day  
of August, 2012

  
\_\_\_\_\_  
Tony Tomasello, Acting City Manager

**From:** [Lauren Pruss](#)  
**To:** [Alex Arsh](#)  
**Cc:** [Jason Rowe](#)  
**Subject:** RE: Small Entrance Area Flower shop P469  
**Date:** Friday, October 12, 2012 12:09:00 PM  
**Attachments:** [20121012113916535.pdf](#)  
[20121012113344772.pdf](#)

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Alex,

Thanks for leaving the drawing with us last week. I understand your position, but I do not believe that the Planning Commission would approve either option, and staff will not provide a positive recommendation to the Commission for this change. Attached are some sketches that staff has put together that give you an idea of things we would support. I have also included some images of awnings that would help to commercialize the appearance of the building, while still blending with the residential character.

Also, please note that your architectural technician shared your floor plan with me. I have had our commercial plans examiner look at it and he has advised me that the existing bathroom does not meet ADA requirements and will need to be enlarged. For that reason, I did not suggest any modifications to that portion of the building.

Regarding any addition, please keep in mind that while I said a small entry alcove of approximately 150 square feet might be acceptable from a parking perspective, the maximum amount of disturbed area cannot exceed 5000 square feet in total. Your approved concept plan had you at the limit of the allowable disturbance so any addition will increase that. I suggest moving the entry to the side of the building so that you can reduce the area of the sidewalk. This will reduce your disturbed area allowing you to add your entry.

Lauren Pruss





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**From:** Alex Arsh [mailto:alexarsh12@gmail.com]  
**Sent:** Thursday, October 11, 2012 1:01 PM  
**To:** Lauren Pruss  
**Subject:** Small Entrance Area Flower shop P469

Lauren,

Thank you for the meeting on late last Friday afternoon in the City. Please see I have some copies attached with this email. On the meeting you decided to keep the copy of my architect drawing in order to show it to your architects and get their opinion and provide me sketch of drawings . I would like to draw your attention to this important point as I mentioned in that meeting, we should have this small entrance area built in the front facing South Frederick Ave. The fair reasons are as follows:

1. As you know our mailing address is 311 South Frederick Ave. and our property located facing on South Frederick Ave. and Not facing located on Peony Dr., Therefore our entrance opening has to be open on South Frederick Ave. Not Peony Dr.
2. Our existing entrance to the building is opening on South Frederick Ave. Not on Peony Dr.
3. Our existing ADA Bathroom is located in front of the building facing South Frederick Ave. therefore building a small entrance facing South Frederick Ave. has easy access to get to the existing ADA Bathroom in front of the building. Please see attached copy of floor plan.
4. Our architect suggested that since the City wants to have a lower elevation roof line than the existing building roof line, the drawing you kept on Friday is the good match and blend in to the existing building. However I have attached copies of other new drawing



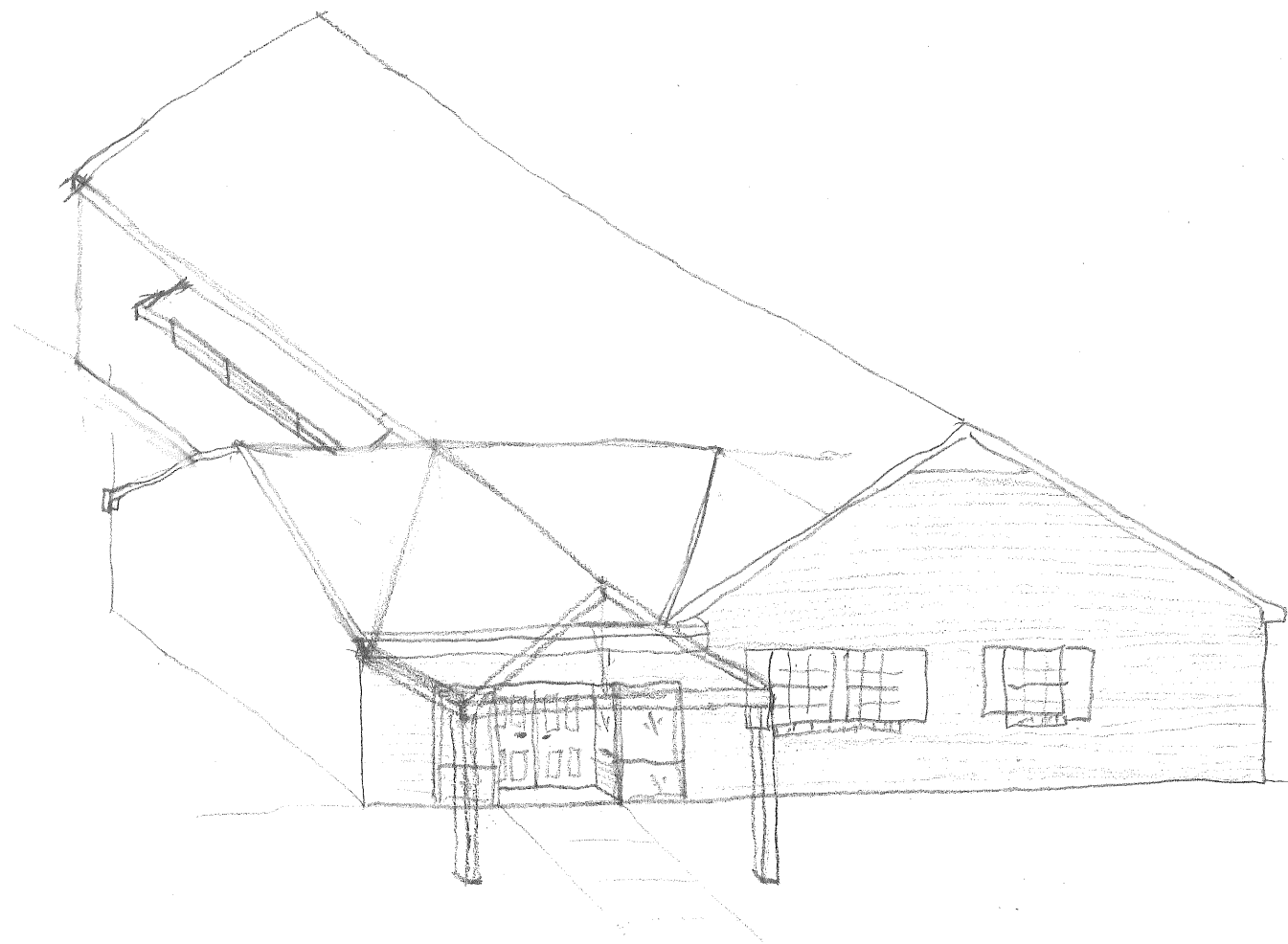
with different roof line and slightly higher roof line elevation than the existing building which may look more artistic than low elevation. Please see attached.

5. As you mentioned in that meeting, it is important to give a commercialized looking to the existing residential style looking with having a larger framed glass windows. This happens when we have a nice small entrance area in the front of the building with nice windows.
6. As you mentioned about granting by Planning Commission, We only have limited space about 150 sf on already disturbed area in order to build this small entrance in the front.
7. we would like to have our business entrance area opening on Commercial CD Zone South Frederick Ave. as it has been recommended in the City's master planning Land use and zoning recommendation "These buildings should be placed up to the street (South Frederick ave.) with the parking in the rear", rather than having entrance from the residential street (Peony Dr.).

Helping us help the City, more beautiful and grow. As always we do appreciate your help and cooperation to this matter and waiting for your suggestion asap. If you have any question, Please feel free to ask me.

Sincerely,

Alex Arsh





New storefront  
display window  
Commercial awning

No modification here  
due to ex. bathroom  
which needs expansion  
to comply w/ ADA



New storefront  
display window +  
commercial awning

New front porch, metal roof  
and commercial  
entry





December 3, 2012

Mr. Alex Arsh  
311 S. Frederick Ave.  
Gaithersburg, MD 20877

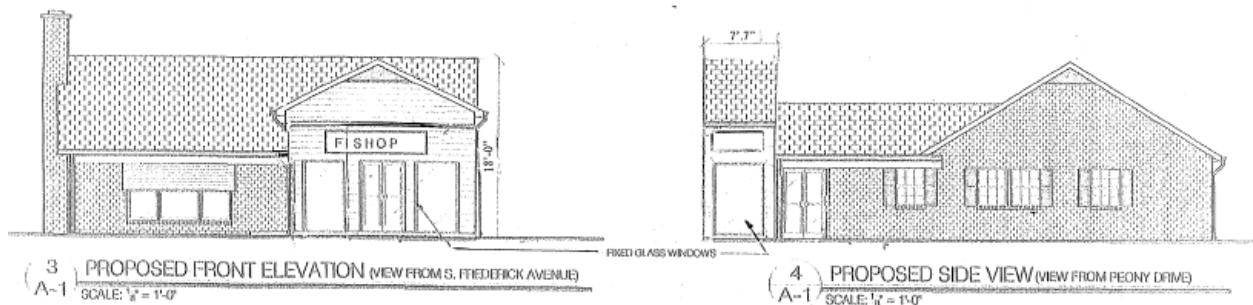
Ray Burns  
Macris, Hendricks, & Glascock, PA  
9220 Wightman Rd., Suite 120  
Montgomery Village, MD 20886

Subject: SP-0942-2012 -- 311 S. Frederick Ave.

Dear Mr. Arsh,

The City has received and reviewed the proposed site plan application for 311 S. Frederick Avenue. Please note that the application is not yet complete. On Wednesday, November 14, 2012, you submitted additional architectural plans for staff review. Please note the following initial application review comments and either revise the proposed site plan or respond accordingly:

1. Please submit the required LEED checklist for this application.
2. Please submit a lighting plan including photometrics for the new parking lot.
3. Staff has evaluated the different architectural design options for the proposed addition to the Frederick Avenue building elevation. Although staff has concerns about the acceptability of all the different proposed options, staff finds the following design most appropriate for the building:



That being said, staff provides the following recommendations for the design of this addition:

- a. Upon review of the proposed site plan, staff notes that the existing building is located five (5) feet from the future PUE along North Frederick Avenue. The proposed addition is 7'7" in depth, which would encroach within the PUE.

Please reduce the depth of the proposed addition to ensure that it will not be located within the future PUE.

- b. Staff finds the addition awkward in appearance upon review of the “Proposed Side View” due to the fact that the roof line of the proposed addition stands at a much greater height than that of the existing adjacent roof. Our recommendation will be to either lower the roof height of the proposed addition, or raise the adjoining roof height to match the addition.
  - c. Staff recommends that a knee wall constructed of reclaimed brick from the demolition be provided along the entire Frederick Avenue elevation to tie the addition in with the existing structure.
  - d. Staff recommends that matching awnings be provided along the entire Frederick Avenue elevation over the proposed store front windows and both entry doors (side and front).
  - e. Please center the sign band, and remove the word “F Shop” and replace with “Sign.”
  - f. Please ensure that all changes on the proposed elevations are noted as such including the new plate glass windows with awning, new entry way, and new addition, etc.
- 4. Please revise the proposed site plan to include the new addition and relocate the dumpster enclosure near the existing rear porch.
  - 5. Please indicate whether the applicant has considered the use of pervious pavement for the parking lot and the reasons for, or against using this material.
  - 6. Please submit the required covenant restricting the use of the property as required by condition for approval #4 which states:

“The applicant shall record a covenant in the land records for Montgomery County, which indicates in specific language that the property is restricted in its use and/or development standards and which also indicates that such restrictions shall be in effect until such time as the property may be rezoned or redeveloped, at which time such restrictions shall be removed, be filed in the land records prior to the issuance of a Use and Occupancy permit.”

The covenant may be submitted in draft form at this time. We will review the covenant and require it to be recorded before issuance of any building permits for the new use. Please note that this document must be prepared by an attorney.

- 7. Please indicate the total area of disturbance on the proposed site plan.



Application Review Comments

SP-0942-2012

December 3, 2012

Page 3

8. Please increase the width of the planting strip along North Frederick Avenue to maximize the planting strip to the greatest extent possible.
9. Proposed forest conservation plan:
  - a. Please remove the street tree closest to the Peony Avenue Intersection.
  - b. The proposed Maple trees are too big for the parking lot islands. Please replace them with a smaller variety such as the Dogwood that is proposed for other areas on site. These two trees, when combined with the other proposed Dogwood can count towards your aforestation requirements and should be noted as such on the plans.
  - c. Please setback all trees a minimum of ten (10) feet from the outer perimeter of the proposed parking lot (with exception to the trees in the parking lot islands).

Because the application is not yet complete, it has not be routed to the Department of Public Works (DPW). Therefore, please be aware that these comments are preliminary, and more comments from DPW and Planning staff will be provided after the application is made complete. You may contact me at your convenience with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Pruss", written in a cursive style.

Lauren Pruss  
Planning and Code Administration



March 18, 2013

Mr. Alex Arsh  
311 S. Frederick Ave.  
Gaithersburg, MD 20877

Ray Burns  
Macris, Hendricks, & Glascock, PA  
9220 Wightman Rd., Suite 120  
Montgomery Village, MD 20886

Subject: SP-0942-2012 -- 311 S. Frederick Ave.

Dear Mr. Arsh,

The City received and reviewed the revised architectural elevations for 311 S. Frederick Avenue that were submitted on March 15, 2013. **Please note that the application is not yet complete.** On Wednesday, November 14, 2012, additional architectural plans were submitted for staff review and staff subsequently provided comments on December 3, 2012. A number of the comments provided at that time remain outstanding (emphasized in *italics*), and the application remains incomplete. As such, this application has not received a complete review by the Department of Public Works. This letter will serve to address both the current architectural submittal, as well as note which comments remain outstanding from previous submittals. Please note the following comments and either revise the proposed application or respond accordingly:

1. Staff has evaluated the revised architectural design for the proposed addition to the building. Staff has previously discussed an addition of approximately 150 square feet to accommodate an entry vestibule to the building. The newly submitted plans propose over 300 square feet of additional floor area for the building, significantly more than discussed. Staff continues to be of the opinion, and it will be our recommendation to the Planning Commission, that the proposed addition does not blend with the existing structure, and is not in keeping with other buildings within the immediate vicinity of the subject property.
2. Revise the proposed site plan to include the new addition and relocate the dumpster enclosure near the existing rear porch (*outstanding comment from December 3, 2012 letter*). Additionally, the proposed parking details will need to be revised to include the proposed addition and requested parking waiver. The site plan must also accurately address the floor

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2098  
301-258-6300 • FAX 301-258-6149 • TTY 301-258-6430 • cityhall@gaithersburgmd.gov • www.gaithersburgmd.gov

MAYOR  
Sidney A. Katz

CITY COUNCIL MEMBERS  
Jud Ashman  
Cathy C. Drzyzgula  
Henry F. Marraffa, Jr.  
Michael A. Sesma  
Ryan Spiegel

CITY MANAGER  
Tony Tomasello

Planning Commission  
SP-0942-2012  
14

area of the existing structure, the proposed addition, and the total area of the structure dedicated to sales and storage.

3. Indicate the total area of disturbance on the proposed site plan (*outstanding comment from December 3, 2012 letter*). The disturbed area must include any new parking lots, walkways, and the proposed addition up to the proposed limits of disturbance.
4. Increase the width of the planting strip along North Frederick Avenue to maximize the planting strip to the greatest extent possible (*outstanding comment from December 3, 2012 letter*).
5. Submit a parking waiver justification statement along with the required \$1,000.00 fee for the parking waiver review. Please be aware that although the proposed florist shop was granted a one space parking waiver at concept site plan, the proposed addition will increase the required waiver necessary for approval by the Planning Commission. Planning Staff cannot guarantee any approval of a proposed parking waiver by the Planning Commission, and such requests increase the likelihood of a denial by the Planning Commission.
6. Architectural Plans:
  - a. Indicate the dimensions of the toilet area near the receptionist area so that ADA Accessibility can be verified.
  - b. Provide the “rear view” of the addition that would be visible from the parking lot.
  - c. Indicate the material used for the cap on the “brick to match existing”/ base of the storefront windows.
  - d. It appears that the existing plate glass window facing Frederick Avenue is being modified. Please provide material details as well as a new awning to replace the existing worn awning.
  - e. The main entrance from Frederick Avenue is not aligned with the internal main entrance. This may be awkward for patrons. Staff recommends that the doors be aligned. Additionally, it is unclear that the proposed entryways will provide sufficient clearance for ADA access to the building.
7. Revise the submitted “Transportation Statement” dated September 10, 2012 to accurately reference the proposed floor area for the building and anticipated trip generation.
8. Revise the submitted request for verification that the proposed development is exempt from stormwater management and sediment control requirements due to the limits of disturbance being less than 5,000 square feet. Please note that it is currently not clear to staff that the proposed development is within this threshold.
9. Submit a lighting plan including photometrics for the new parking lot (*outstanding comment from December 3, 2012 letter*).

10. Indicate whether the applicant has considered the use of pervious pavement for the parking lot and the reasons for, or against using this material (*outstanding comment from December 3, 2012 letter*).

11. Submit the required covenant restricting the use of the property as required by condition for approval #4 which states:

“The applicant shall record a covenant in the land records for Montgomery County, which indicates in specific language that the property is restricted in its use and/or development standards and which also indicates that such restrictions shall be in effect until such time as the property may be rezoned or redeveloped, at which time such restrictions shall be removed, be filed in the land records prior to the issuance of a Use and Occupancy permit.”

The covenant may be submitted in draft form at this time. We will review the covenant and require it to be recorded before issuance of any building permits for the new use. Please note that this document must be prepared by an attorney (*outstanding comment from December 3, 2012 letter*).

12. The proposed landscape plan does not address the existing overgrown and unsightly foundation plantings surrounding the existing building. Please provide for the removal of existing overgrown landscaping and replanting with fresh materials as part of the proposed landscape plan. New materials should be identified on the plan in both location, quantity, and plant type.

13. Proposed forest conservation plan (*outstanding comments from December 3, 2012 letter*):

- a. Remove the street tree closest to the Peony Avenue Intersection.
- b. The proposed Maple trees are too big for the parking lot islands. Please replace them with a smaller variety such as the Dogwood that is proposed for other areas on site. These two trees, when combined with the other proposed Dogwood can count towards your aforestation requirements and should be noted as such on the plans.
- c. Setback all trees a minimum of ten (10) feet from the outer perimeter of the proposed parking lot (with exception to the trees in the parking lot islands).

**Because the application is not yet complete, it has not been routed to the Department of Public Works (DPW). Therefore, please be aware that these comments are preliminary, and more comments from DPW and Planning staff will be provided after the application is made complete.** You may contact me at your convenience with any questions.

Sincerely,

Application Review Comments

SP-0942-2012

March 18, 2013

Page 4

A handwritten signature in black ink, appearing to read "L. Pruss". The signature is fluid and cursive, with a large initial "L" and a stylized "Pruss".

Lauren Pruss

Planning Director

Planning and Code Administration

## Lauren Pruss

---

**From:** Lauren Pruss  
**Sent:** Friday, April 26, 2013 3:55 PM  
**To:** 'Ray Burns'; 'Alex Arsh'  
**Subject:** SP-0941-2012

Dear Mr. Burns and Mr. Arsh,

The City has completed its review of SP-0942-2012. Please note the following comments and revise the application accordingly:

### SWM waiver request/LOD

- Current LOD – 4930 sf. This is not a realistic LOD as it does not accommodate for excavation which most definitely will not follow the exact location of the curb.
  - Current LOD with a 1' offset results in a **LOD – 5500 sf. This is a more realistic way of measuring the LOD and should be the one utilized here. Given this, the applicant must consider alternatives to the current design to avoid the need to provide a SWM plan.**
  - Staff would support a waiver for 8.5 foot parking spaces based on the low volume of traffic, as well as a request for a drive aisle waiver of up to 2 feet to see how this impacts the LOD.
- Staff also recommends that the lead walk from the parking lot to the entrance be redesigned and **minimized** along its entire length to provide a minimum 5 foot wide paved area adjacent to the addition and leading to the front entry, and pulled away from the foundation of the building to provide a wider landscaping area at the foundation of the building.
- The existing lead walk on the front of the building needs to be removed.
- The LOD does not include the Frederick Ave. streetscape modifications (sidewalk and street trees), however given the issue with LOD, staff is no longer requiring the improvements to the Frederick Avenue streetscape

### Parking and circulation

- Parking waiver- The parking chart provided for the site plan is incorrect. A minimum of 9 spaces are required
- Provide a turning movement study to confirm vehicles have enough room to maneuver to access ADA space

### Trash enclosure

The location of the trash enclosure is not acceptable. The City Code requires enclosures to be located in the rear yard, and as such, should be located near the rear porch. Additionally, the proposed location is highly undesirable from an aesthetic perspective as it is highly visible from a residential area.

### Landscape Plan

Provide one tree in the island where the trash enclosure is currently located.

### Lighting

One light, at least in the location shown, is not sufficient to provide acceptable lighting for the parking spaces and associated drive aisle. According to the submitted photometrics about 1/3 of the lot currently is measured at 0 foot-candles. Average foot-candles for the parking lot can be as low as 0.8 with a 4 to 1 ave. to min. ratio and a max to min. ratio of 20 to 1 or less. This means that min. levels will need to be at least 0.2 foot-candles. Additionally, light type B, one new and one existing on either side of the building are spot lights and should be replaced with downward directed wall packs.

### Architecture

Staff continues to be of the opinion that the proposed architecture is architecturally incompatible with the existing structure.

Declaration of Covenants

The Declaration appears to be of acceptable form, but will need to be reviewed by the City Attorney.

Please feel free to contact me with any questions regarding these comments.

Sincerely,

*Lauren Pruss, AICP*  
Planning Director  
Planning and Code Administration  
City of Gaithersburg  
301-258-6330



**NOTICE OF PLANNING COMMISSION MEETING**  
**\*WEDNESDAY, July 24, 2012 at 7:30 PM**  
**City Hall Council Chambers**  
**31 S. Summit Avenue, Gaithersburg MD 20877**

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You are receiving this postcard to inform you of a proposal for change within 200 feet of your property or you have expressed an interest in the subject plan(s).

<b>APPLICATION TYPE:</b>	Final Site Plan
<b>FILE NUMBER:</b>	SP-0942-2012
<b>LOCATION:</b>	311 S. Frederick Ave.
<b>PROPOSAL:</b>	Addition and Parking Lot for Florist Shop

For additional information, you may review the project file(s) at the Planning and Code Administration offices located at City Hall, 31 S. Summit Avenue, Gaithersburg Maryland between the hours of 8:00 am and 5:00 pm Monday through Friday. You may also refer to the City web site at [www.gaithersburgmd.gov](http://www.gaithersburgmd.gov) or contact us via telephone at 301-258-6330.

\*Subject to Change

**Planning Commission**  
**SP-0942-2012**  
**16**

owner_name_line_1	owner_name_line_2	owner_address_line_1	owner_address_line_2	owner_address_city	owner_address_state	owner_address_zip_code
ACUESTA REUBENA C		13 PEONY DR		GAITHERSBURG	MD	20877
FARSHNESHANI MOHAMMAD ALI		311 S FREDERICK RD		GAITHERSBURG	MD	20877
BOARD OF EDUCATION		850 HUNGERFORD DR		ROCKVILLE	MD	20850
CABANILLAS JAVIER &	LAURA ARMUJO	1 TULIP DR		GAITHERSBURG	MD	20877
HARDING JACQUELINE S ET AL		19 PEONY DR		GAITHERSBURG	MD	20877
TRAN TUAN		16930 OAK HILL RD		SILVER SPRING	MD	20905
IRVINE HELEN B REV TRUST		PO BOX 248		GAITHERSBURG	MD	20884
VESTRY OF ASCENSION PARISH		OF EPISCOPAL CH DIOCESE WASH	205 S SUMMIT AVE	GAITHERSBURG	MD	20877
DOUGHERTY MARGARET M		17 PEONY DR		GAITHERSBURG	MD	20877
VALCOURT LYNNE M		20 BEANE HILL CT		GAITHERSBURG	MD	20877
HAWK JAMES W JR & D S		14 PEONY DR		GAITHERSBURG	MD	20877
DIAMOND FARMS PROPERTIES INC		401 S FREDERICK AVE		GAITHERSBURG	MD	20877
ROYCE FRANCIS A JR &	MARY JANE G ROYCE	16 PEONY DR		GAITHERSBURG	MD	20877
VACA CARRILLO LUCITA M ET AL		18 PEONY DR		GAITHERSBURG	MD	20877
HARDING JACQUELINE S ET AL		19 PEONY DR		GAITHERSBURG	MD	20877
PARVANEH-TEHRANI DARYOUSH		305 S FREDERICK AVE		GAITHERSBURG	MD	20877
Alan Rosen	President	17017 Sioux Lane		Gaithersburg	MD	20878
Andrea Liacouras	President	105 Twelve Oaks Court		Gaithersburg	MD	20877
April Day	Community Association	18401 Woodfield Road, Suite H		Gaithersburg	MD	20879
Brian Weiblinger	President	147 Apple Blossom Way		Gaithersburg	MD	20878
Bruce Blumberg	Abaris Realty, Inc.	12009 Nebel Street		Rockville	MD	20852
Carla Johnson	Bennington	29 Goodport Lane		Gaithersburg	Maryland	20878
Carrie Mathis	Quantum	5101 River Road, Suite 101		Rockville	Maryland	20816
Cheryl Berger	Assn. Bookkeeping Svcs	849-F Quince Orchard Boulevard		Gaithersburg	MD	20878
Chris Froehlich	Community Mngmnt. Co	11300 Rockville Pike #907		Rockville	MD	20852
Claude Lumpkins	Vista Management	1131 University Blvd West Suite 101		Silver Spring	MD	20902
Craig Chung	The Management Group	20440 Century Boulevard, Suite 100		Germantown	Maryland	20874
Dale Roan	Main Street Prop Manag	9 Park Avenue		Gaithersburg	MD	20877
David Sapoznick	Summit Managemt Svcs	3833 Farragut Avenue		Kensington	MD	20895
David Studley	President	716 Beacon Hill Terrace		Gaithersburg	MD	20878
Elaine Ziemke	The Management Group	20440 Century Boulevard, Suite 100		Germantown	Maryland	20874
Eric Cooper	Property Management Inc	955-A Russell Avenue		Gaithersburg	Maryland	20879
Frances Winter	President	2 Glazebrook Court		Gaithersburg	MD	20878
Glenn Loveland	Abaris Realty, Inc.	12009 Nebel Street		Rockville	MD	20852
Guisela Deering	The Simmons Managemt	8911 60th Avenue, 2nd Floor		College Park	MD	20740
Hank Jacob	Allied Realty	7605 Arlington Road		Bethesda	MD	20814
Ibrahim Dukuly	Lighthouse Prop Manag	P.O. Box 5379		Takoma Park	MD	20913
Jackie Shaw	Vice President	5 Antioch Road		Gaithersburg	MD	20878
Jeff Kivitz	Main Street Property M.	9 Park Avenue		Gaithersburg	MD	20877
Jesse James	Allied Realty	7605 Arlington Road		Bethesda	MD	20814
Jessica Cummings	IKO Real Estate, Inc.	3416 Olandwood Court, Suite 210		Olney	MD	20832
JoAnn Schinke	President	734 Tiffany Court		Gaithersburg	MD	20878
Jon May	President	8940 Edgewood Drive		Gaithersburg	Maryland	20877
Katrina Barrett	ComSource Manager	3414 Morningwood Drive		Olney	MD	20832
Kevin Kapp	Vista Management	1131 University Blvd West Suite 101		Silver Spring	MD	20902
Kim Lee	Villa Ridge Condo Assn.	414 Girard Street		Gaithersburg	MD	20877
Lisa Franklin	PROCAM	14904 New Hampshire Avenue		Silver Spring	Maryland	20905
Lori Cohen	Armstrong Managemen	3949 Pender Drive #205		Fairfax	Virginia	22030
Matt Snyder	ComSource Manager	3414 Morningwood Drive		Olney	MD	20832
Mayea Henderson	Community Manager	11300 Rockville Pike #907		Rockville	MD	20852
Michael Eckloff	ComSource Manager	3414 Morningwood Drive		Olney	Maryland	20832
Michael LaPrade	ComSource Manager	3414 Morningwood Drive		Olney	MD	20832
Michele Kennedy	ComSource Manager	3414 Morningwood Drive		Olney	MD	20832
Mike Potter	M.T.M Management As:	26223 Ridge Road		Damascus	MD	20872
Nancy Goglio	President	905 Wild Forest Drive		Gaithersburg	Maryland	20879
Patty Floyd	Paul Associates, Inc.	6935 Wisconsin Avenue Suite 400		Chevy Chase	MD	20815
Peggy Toland	Community Association,	15742 Crabbs Branch Way		Derwood	MD	20855
Peyton Harris	Capital Management	12011 Lee Jackson Highway #350		Fairfax	VA	22033
Ralph Caudle	IKO Real Estate, Inc.	3416 Olandwood Court, Suite 210		Olney	MD	20832
Randy Fox	Kentlands Citizen Asser	485 Tschiffely Square Road		Gaithersburg	Maryland	20878
Richard Skobel	Main Street Property M.	9 Park Avenue		Gaithersburg	MD	20877
Robert Fogel	Abaris Realty, Inc.	12009 Nebel Street		Rockville	MD	20852
Ruchita Patel	The Management Group	20440 Century Boulevard, Suite 100		Germantown	Maryland	20874
Sandra Ewing	Vanguard Management	PO Box 39		Germantown	MD	20875
Shireen Ambush	Abaris Realty, Inc.	12009 Nebel Street		Rockville	MD	20852
Steve Leskowitz	The Management Group	20440 Century Boulevard, Suite 100		Germantown	Maryland	20874
Tom Armstrong	President	108 Longdraft Road		Gaithersburg	Maryland	20878

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## STAFF COMMENTS FOR PLANNING COMMISSION

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**MEETING DATE:** July 24, 2013

**SITE PLAN:** **AFP-2855-2013**

**TITLE:** **Parklands Custom Lot Architecture**

**REQUEST:** **AMENDMENT TO FINAL PLAN APPROVAL**  
Custom Lot Architecture Approval

**ADDRESS:** **116 Liriope Place, 400 Blue Flax Place,  
401 Hydrangea Place**

**Zone:** MXD Zone (Mixed Use Development)

**Applicant/Owner:** Ron Lethbridge, Classic Group, LLC

**Owner:** MTG Acquisitions, LLC c/o Classic Group, LLC

**Architect:** Randy Creaser, Creaser/O'Brien

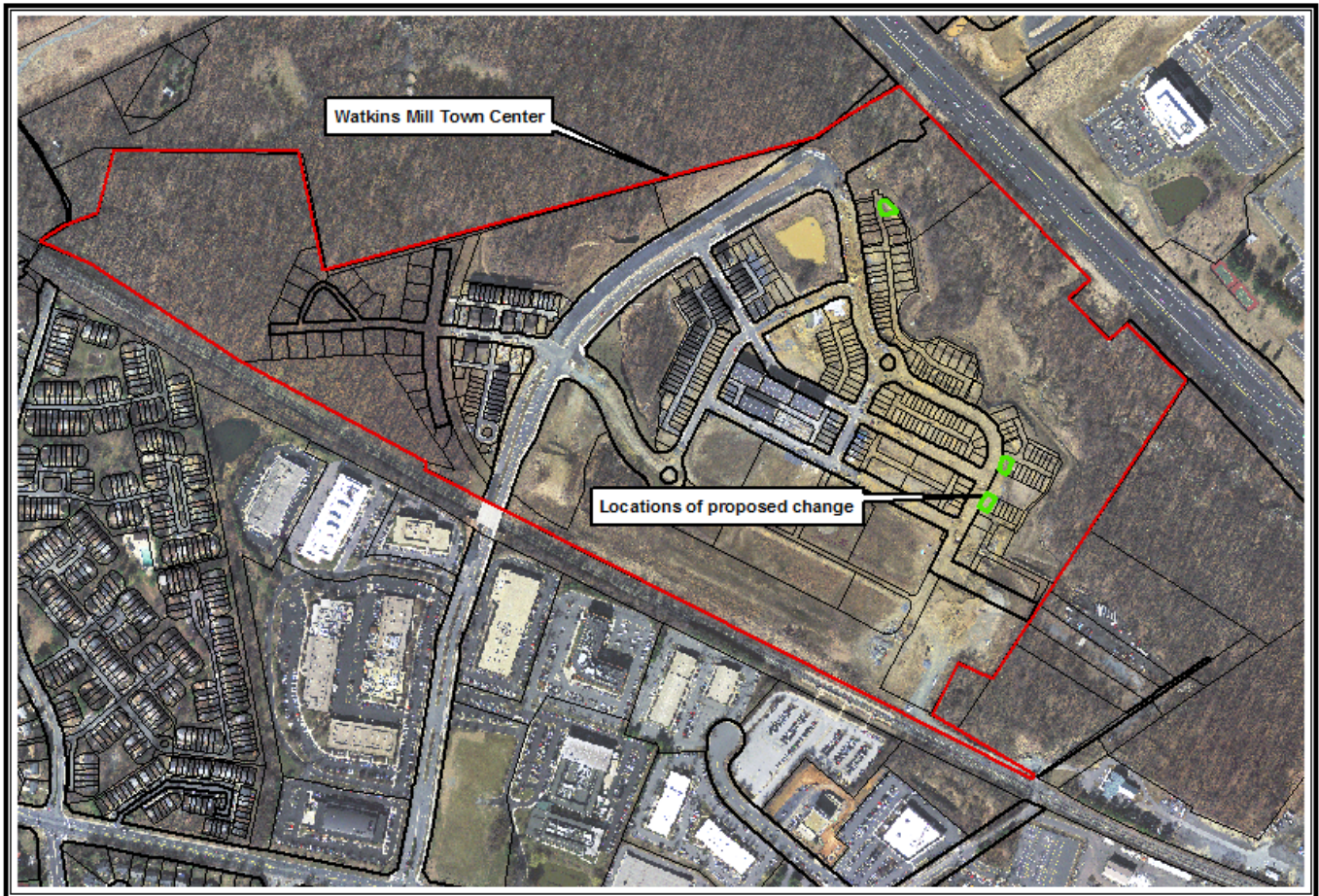
**Engineer:** Rodgers Consulting

**Staff Liaison:** Lauren Pruss, Planning Division Chief

**Enclosures:**

Staff Comments

- Exhibit 1: Application
- Exhibit 2: Proposed Color Elevations
- Exhibit 3: Proposed Architectural Elevations
- Exhibit 4: Proposed Resite Plans
- Exhibit 5: Proposed Revised Site Plan Sheets 6, 11, and 68
- Exhibit 6: Proposed Landscape Plans
- Exhibit 7: Color Package and Material Specifications
- Exhibit 8: Previously Approved Cottage Elevations, Madison Model, Elevations #1 and #3
- Exhibit 9: LEED Checklist
- Exhibit 10: Postcard and Notification List



**Watkins Mill Town Center**

## **STAFF COMMENTS**

### **I. BACKGROUND:**

Application AFP-2855-2013 has been filed requesting approval of an Amendment to Final Plan, for approval of custom lot architecture for 116 Liriope Place, 400 Blue Flax Place, and 401 Hydrangea Place. Watkins Mill Town Center is located in the Mixed Use Development Zone (MXD).

### **II. SCOPE OF REVIEW:**

This application comes before the Planning Commission because §24-172A requires the Planning Commission to grant amendments to approved final site plans. The applicant is requesting approval for previously designated lots for custom architecture.

### **III. SITE PLAN ANALYSIS AND FINDINGS:**

#### **Zoning History**

Watkins Mill Town Center was granted final site plan approval on May 3, 2006. Since that time, several amendments have been approved for Architectural elevation changes and other final site plan details.

#### **Existing Site Conditions**

The three custom lots are essentially in finished condition awaiting construction. Utilities are available at the individual site and the adjoining roads are suitably finished for regular access to the sites.

#### **Site Plan Analysis**

Classic Homes is requesting approval for custom architecture for three lots. The Parklands at Watkins Mill Town Center was originally approved with two lots, 400 Blue Flax Place and 401 Hydrangea Place, which would be constructed with custom architecture that would be approved by the Planning Commission at a future date. The lot located at 116 Liriope Place was previously approved for development with the previously approved Earlswood Model, but after further evaluation, NV Homes determined that the lot was too small for this model, and has negotiated with Classic Communities for build-out of this lot.

Classic Communities is proposing to develop the three lots with architecture similar to that approved in 2012 for the eleven cottage lots. These lots are larger than the cottage lots, so the models have been elongated and enlarged to fit within the building envelopes. Comparatively, the previously approved "cottage" units



measured 25 feet x 25 feet, while these units measure 25 feet x 40 feet.

Four of the eleven cottage units, which surround the Parkview Avenue traffic circle, were approved as "Gateway Elevations" and featured a full brick base with cement fiber siding on the upper two floors. While masonry is the predominant material throughout the Parklands, both the Commission and staff supported the use of siding at this prominent location as it would allow the introduction of color and create a unique visual aesthetic within the community. Working with the applicant, staff saw an opportunity to replicate this treatment at the community green located at terminating vista of Community Center Avenue. The two lots capping this amenity are similarly designated as "Gateway Lots" without specific architecture previously approved. Staff had previously requested that the applicant analyze these lots for wrap-around porches, but it was determined that the lots are too small for this configuration.

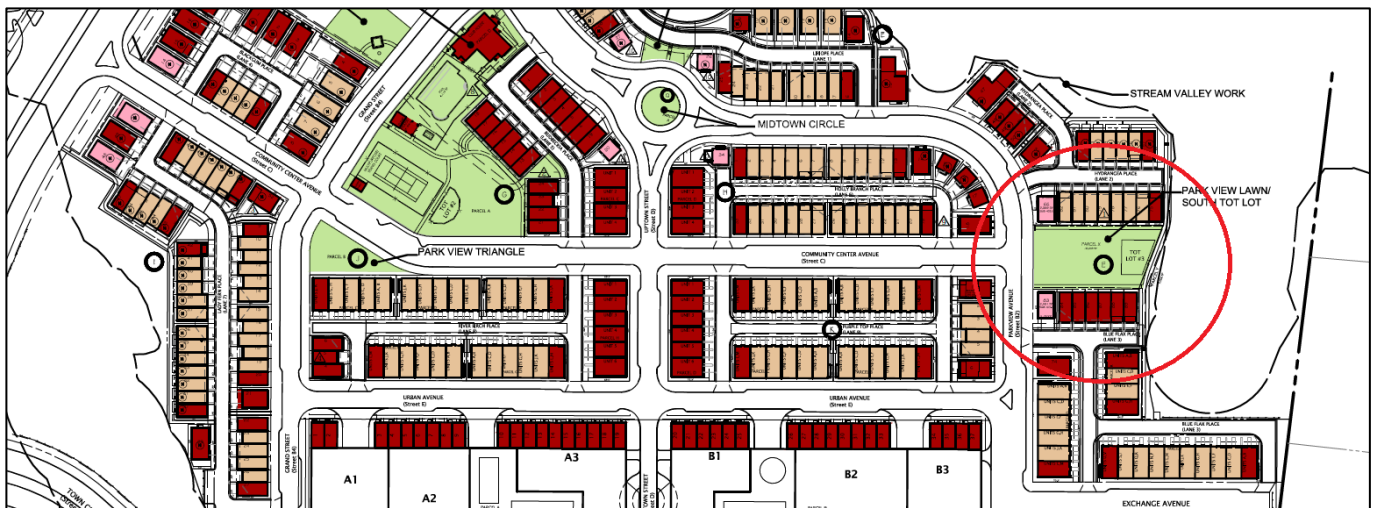
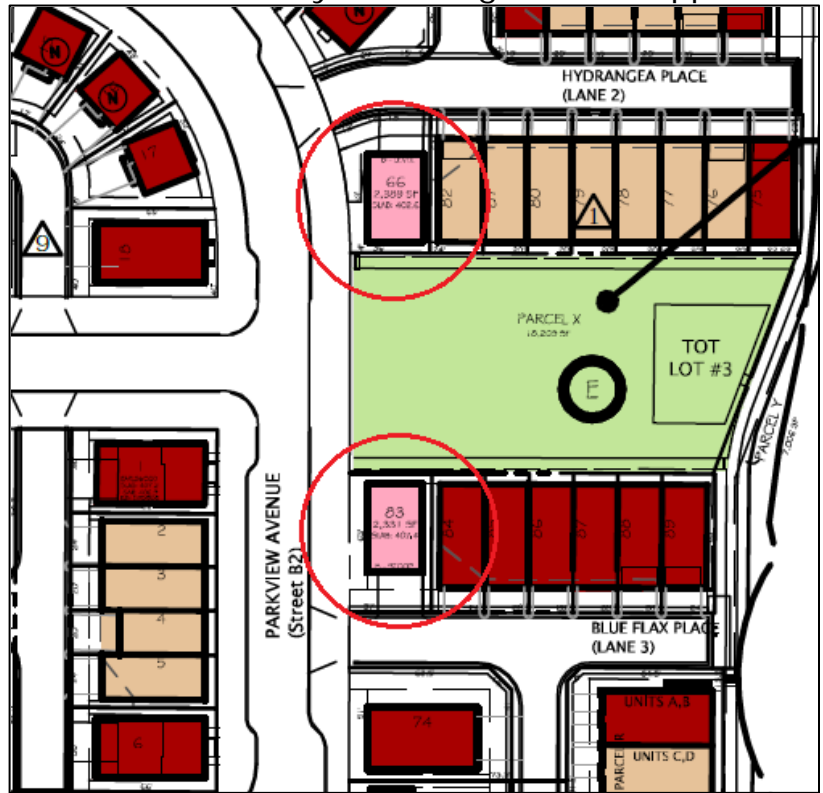
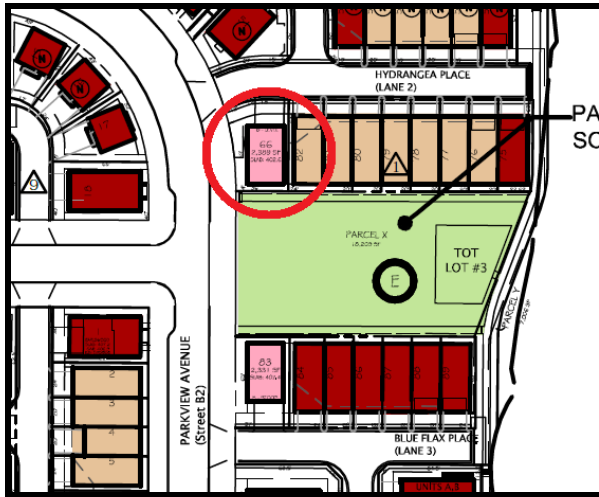


Exhibit 5



## 401 Hydrangea Place

This lot was approved as a gateway lot with future approval for architectural elevations. The applicant is proposing to develop this lot with the "Adams" model which is similar to the previously approved "Madison" cottage model, Elevation #1. This unit features a full brick first floor with cement fiber siding on the second and third floor, mimicking that approved for the Parkview traffic circle. The Parkview Avenue elevation has been designed with additional architectural features due to its high visibility location. An individualized landscape plan is proposed, but needs to be further refined with material specifications.

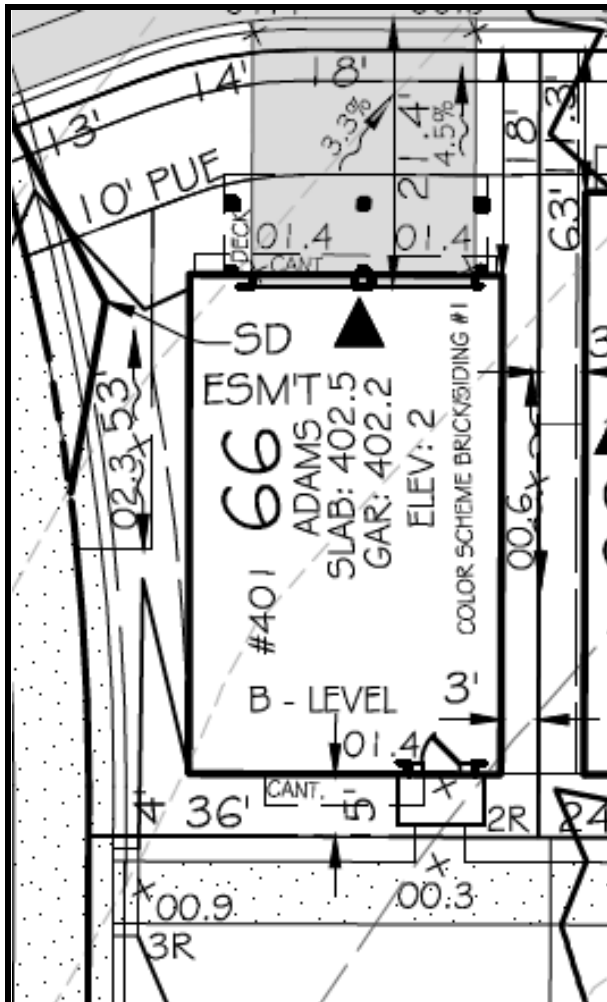


Exhibit 4

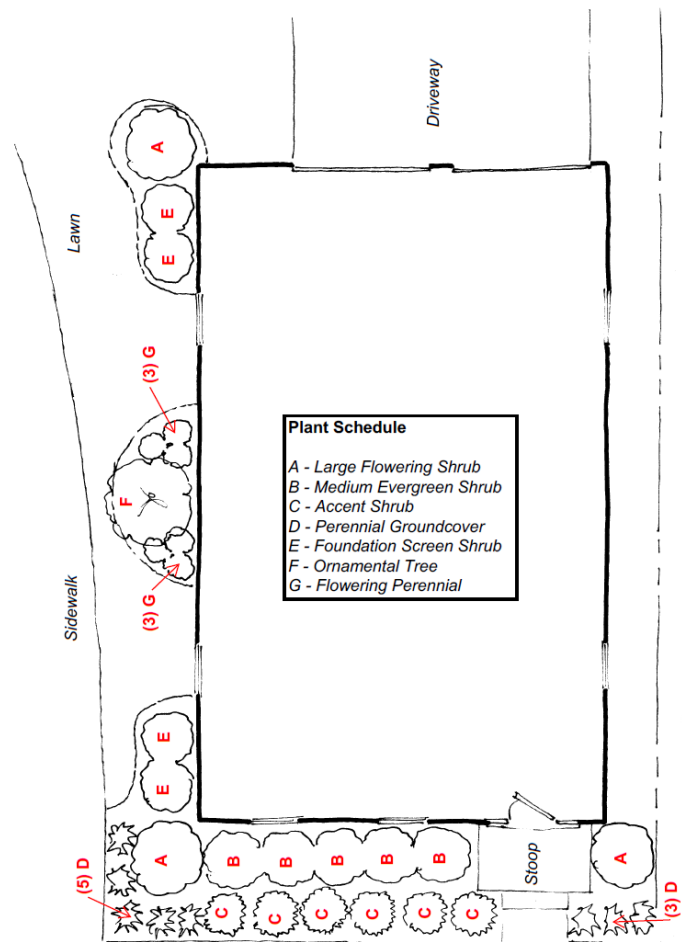
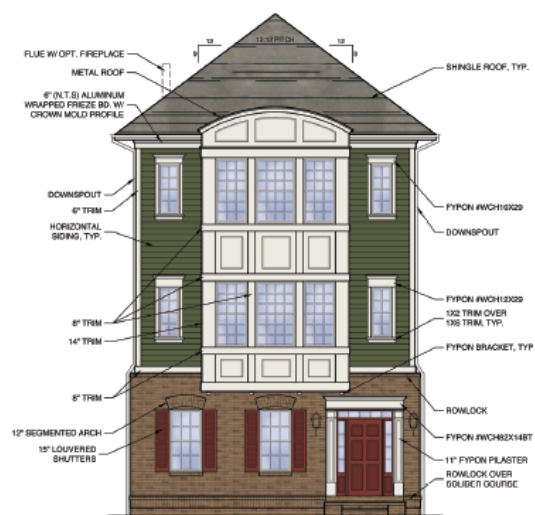


Exhibit 6



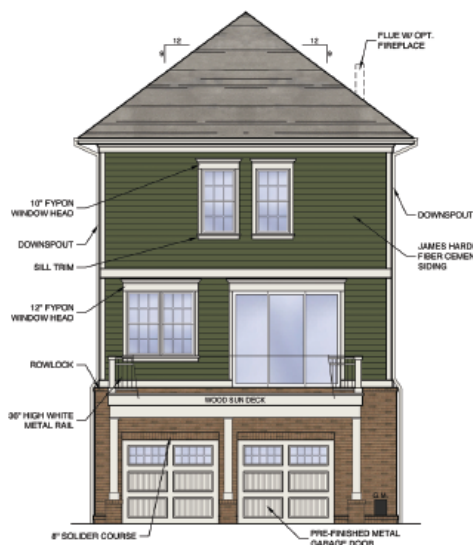
# 401 Hydrangea Place – Elevations



**FRONT ELEVATION**



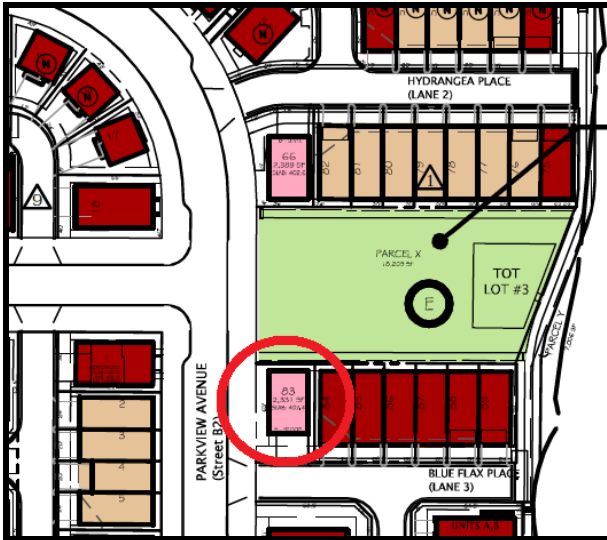
**LEFT SIDE ELEVATION  
HIGH VISIBILITY**



**REAR ELEVATION**



**RIGHT SIDE ELEVATION**



## 400 Blue Flax Place

This lot was approved as a gateway lot with future approval for architectural elevations. The applicant is proposing to develop this lot with the "Adams" model which is similar to the previously approved "Madison" cottage model, Elevation #3. This unit features a full brick first floor with cement fiber siding on the second and third floor, mimicking that approved for the Parkview traffic circle. The Parkview Avenue elevation has been designed with additional architectural features due to its high visibility location. An individualized landscape plan is proposed, but needs to be further refined with material specifications.

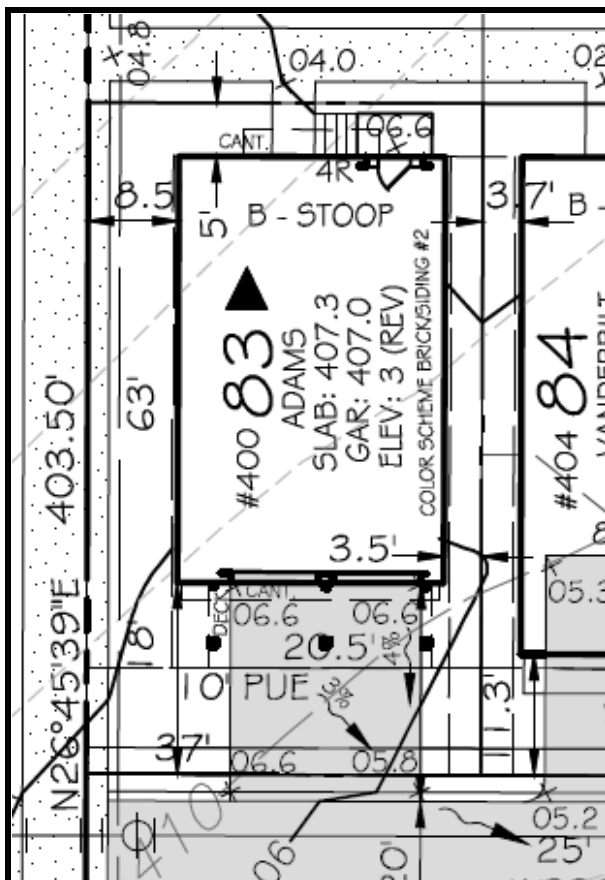


Exhibit 4

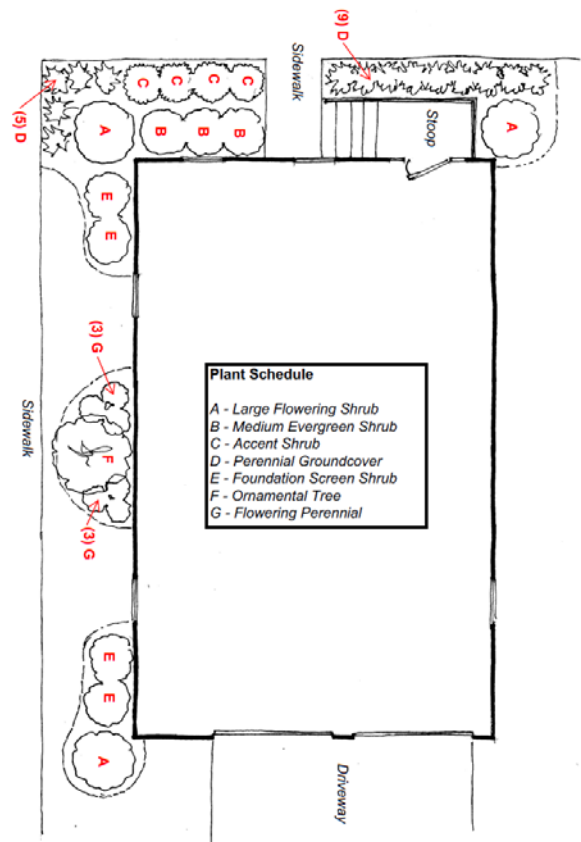
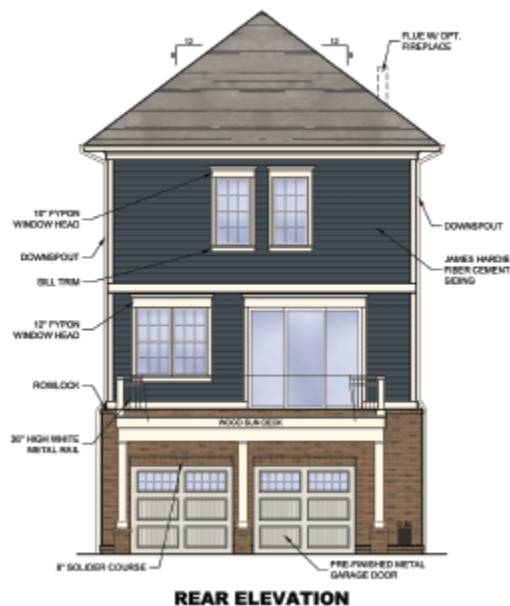
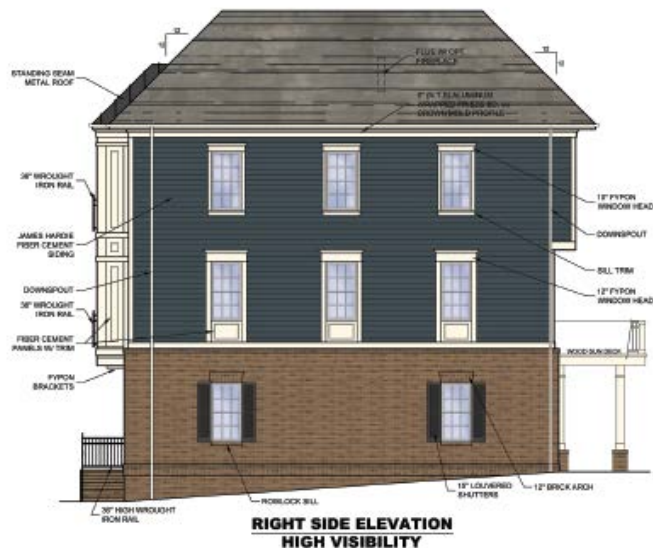
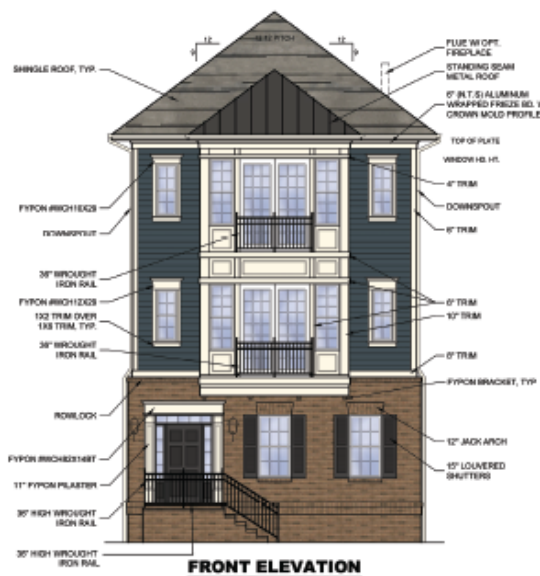


Exhibit 6

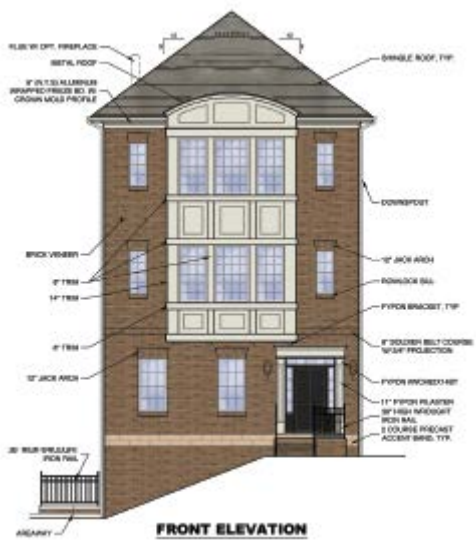
400 Blue Flax Place – Building Elevations







## 116 Liriope Place – Elevations



## **Summary of Findings**

Staff has reviewed the proposed building elevations and find them to be in compliance with the approved design guidelines, as well as the requirements for Gateway Lots. Staff fully supports the adaptive use of the previously approved cottage elevations for these three lots. Additionally, staff believes the use of cement fiber siding will allow additional use of color and create a unique visual aesthetic within the community.

## **IV. CONCLUSION**

Staff recommends that the Planning Commission make a motion **TO GRANT AFP-2855-2013, AMENDMENT TO FINAL PLAN APPROVAL, FINDING IT IN CONFORMANCE WITH §24-170 AND §24-172A OF THE CITY'S ZONING ORDINANCE** with two (2) conditions:

1. The proposed landscape plans shall be revised to provide specific materials.
2. The applicant shall work with staff to determine the feasibility of a deck option on the alley elevation of 116 Liriope Place.
3. The applicant shall work with staff to reengineer the rear decks to eliminate the center support post if feasible.



## PLANNING AND CODE ADMINISTRATION

City of Gaithersburg · 31 South Summit Avenue · Gaithersburg, Maryland 20877 · Telephone: (301) 258-6330 · Fax: (301) 258-6336  
[plancode@gaitthersburgmd.gov](mailto:plancode@gaitthersburgmd.gov) · [www.gaithersburgmd.gov](http://www.gaithersburgmd.gov)

# AMENDMENT TO FINAL SITE OR SCHEMATIC DEVELOPMENT PLAN APPLICATION

### SUBJECT PROPERTY

Street Address See Attached Previous Project Number \_\_\_\_\_

### APPLICANT/BILLING CONTACT

Business Name MTG Acquisitions, LLC c/o Classic Group, LLC

Primary Contact Ronald Lethbridge

Street Address 8120 Woodmont Avenue Suite No. \_\_\_\_\_

City Bethesda State Maryland Zip Code 20814

Telephone Numbers: Work 301-913-0404 Cell 240-508-0862 E-mail Address rlenthbridge@classiccommunitycorp.

### OWNER

Business Name MTG Acquisitions, LLC c/o Classic Group, LLC

Primary Contact Ronald Lethbridge

Street Address 8120 Woodmont Avenue Suite No. \_\_\_\_\_

City Bethesda State Maryland Zip Code 20814

Telephone Numbers: Work 301-913-0404 Cell 240-508-0862 E-mail Address rlenthbridge@classiccommunitycorp.

### DEVELOPER

Business Name Classic Group, LLC

Primary Contact Ronald Lethbridge

Street Address 8120 Woodmont Avenue

City Bethesda State Maryland

Telephone Numbers: Work 301-913-0404 Cell 240-508-0862 E-mail Address rlenthbridge@classiccommunitycorp.

### ATTORNEY

Business Name \_\_\_\_\_

Primary Contact \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_

Telephone Numbers: Work \_\_\_\_\_ Cell \_\_\_\_\_ E-mail Address \_\_\_\_\_

### ARCHITECT

Business Name Creaser/O'Brien MD Registration No. 6608

Primary Contact Randall J. Creaser

Street Address 1420 Q Street Suite No. \_\_\_\_\_

City Washington State DC Zip Code 20009

Telephone Numbers: Work 202-289-9001 Cell \_\_\_\_\_ E-mail Address randy@creaserobrien.com



**ENGINEER**

Business Name Rodgers Consulting, Inc. MD Registration No. 13970  
Primary Contact Matthew J Wessel  
Street Address 19847 Century Boulevard Suite No. 200  
City Germantown State Maryland Zip Code 20874  
Telephone Numbers: Work 301-948-4700 Cell 301-366-9040 E-mail Address mwessel@rodgers.com

**APPLICATION TYPE (check one only)** ☒ Amend Final Site Plan ☐ Amend Schematic Development Plan

**PROPOSED PRIMARY USE (check one only)** ☐ Residential ☐ Non-Residential ☒ Mixed Use

**PROPOSED UNIT TYPE** ☒ Residential Single Family ☐ Residential Multi-Family ☐ Office/Professional ☐ Mixed Use  
☐ Restaurant ☐ Retail/Commercial ☐ Other Use

**PARKING** ☐ Parking Waiver Needed No. of Spaces Required        No. of Spaces Waived         
☐ Height Waiver Needed

**SITE PLAN NUMBER TO AMEND** AFP-12-017

**USE (Amendment to Schematic Development Plan only)**

☐ Change in Use ☐ No Change in Use ☐ Change Other than to Use

**PROJECT DESCRIPTION**

New Architectural Elevations for 3 Custom Lots.

**SITE DETAILS**

Site Area Square Feet	<u>No Change</u>	Number of Lots	<u>No Change</u>
Site Area Acres	<u>No Change</u>	Number of Dwelling Units/Acre	<u>No Change</u>
Green Area	<u>No Change</u>	Parking Spaces Provided	<u>No Change</u>
Green Area %	<u>No Change</u>	Height of Tallest Building (ft.)	<u>No Change</u>
		Height of Tallest Building (stories)	<u>No Change</u>

**SQUARE FOOTAGE - NON-RESIDENTIAL**

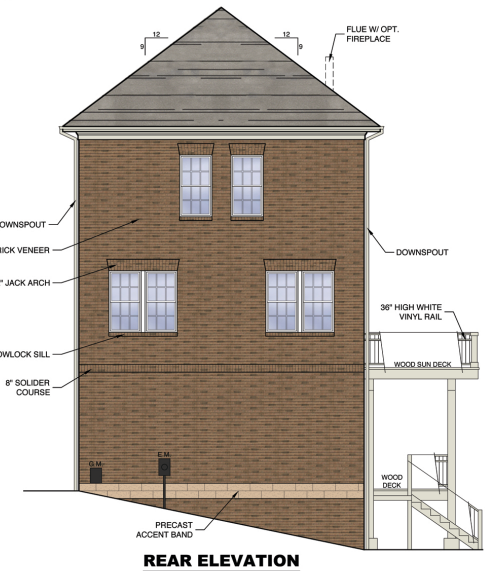
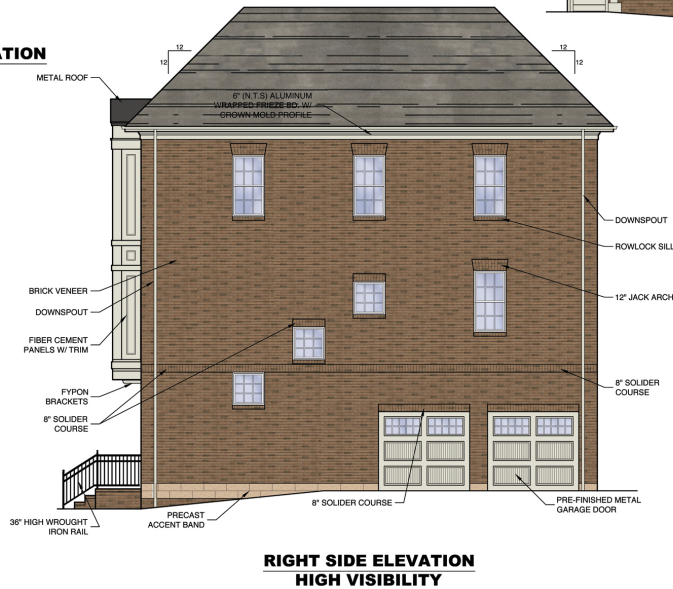
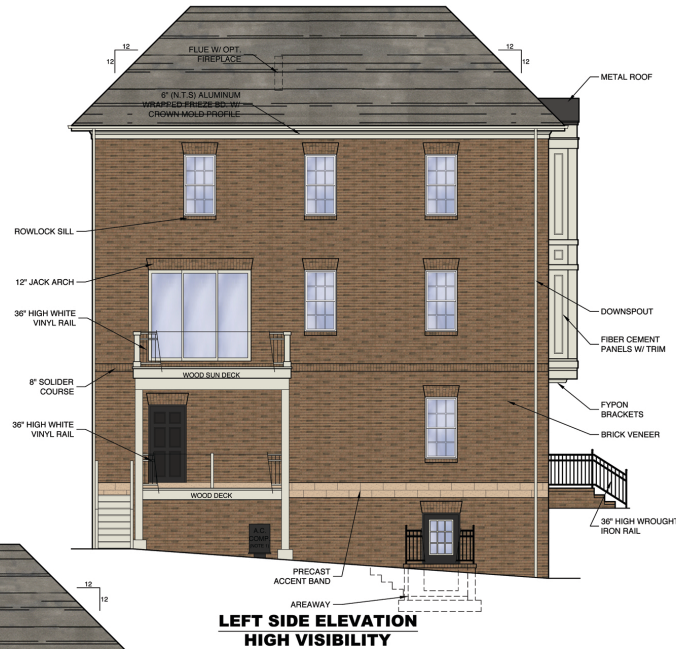
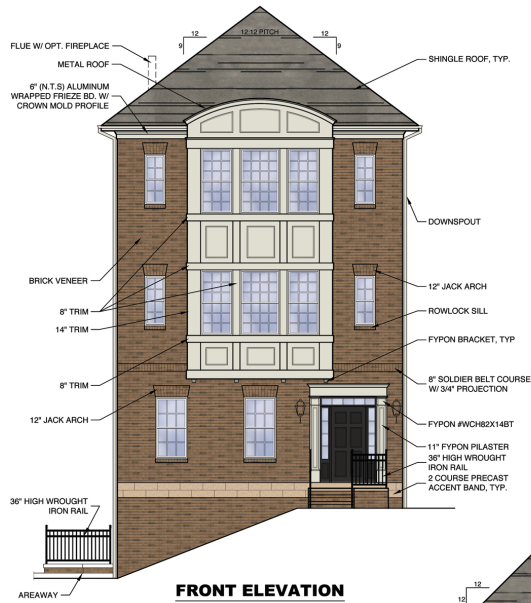
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Restaurant (B)	<u>No Change</u>	Industrial	<u>No Change</u>
Restaurant (C)	<u>No Change</u>	Other (please specify)	<u>No Change</u>

**UNIT COUNTS - RESIDENTIAL**

Single Family Detached Units	<u>No Change</u>	Apartment Units	<u>No Change</u>
Townhouse Units	<u>No Change</u>	Condominium Units	<u>No Change</u>
Duplex Units	<u>No Change</u>	Other (please specify)	<u>No Change</u>

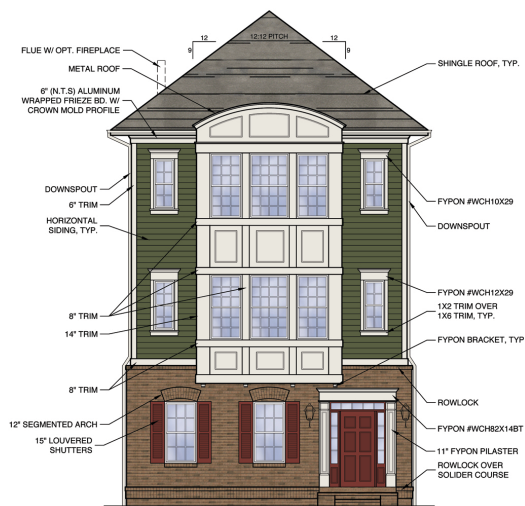
**Total Number Residential Units** No Change

**See Next Page for Submittal Requirements**

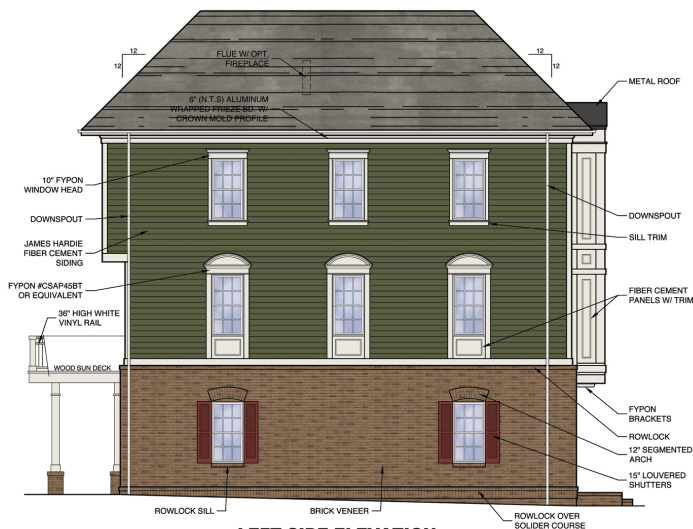


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PRECAST:	SUEDE
BRICK:	BLUE RIDGE REGENT
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TRIM/GUTTER:	AUTUMN BEIGE
FRONT DOOR:	BLACK
SHUTTERS:	N/A
SUN DECK RAILS:	WHITE
WROUGHT IRON RAILS:	BLACK

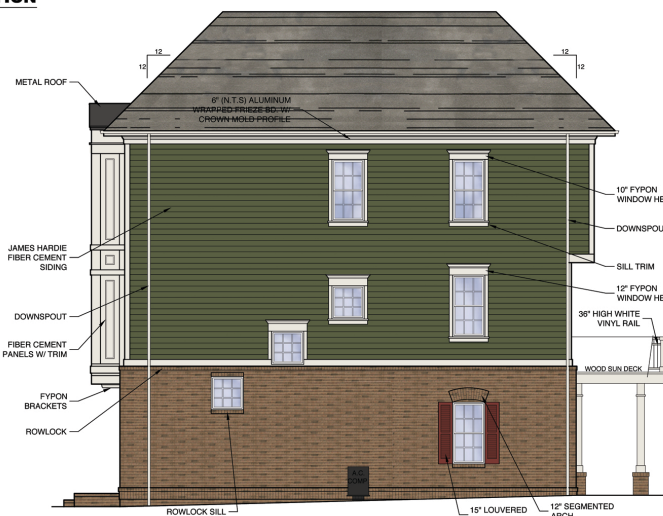
<div>CREASER/O'BRIEN ARCHITECTS<sup>®</sup></div> <div>1420 Q STREET, NW, SUITE 300 WASHINGTON DC 20009 PHONE: 202-289-9001</div>	ELEVATION TYPE: #1	PARKLANDS SINGLE FAMILY HOMES	DATE: 7-11-13	<div><div>8120 WOODMONT AVENUE SUITE 300 BETHESDA, MARYLAND 20814 (301) 913-0404 FAX: (301) 913-5482 www.classiccommunitycorp.com</div></div>	LOT #: <div>45E</div>
	COLOR SCHEME: BRICK #1		CITY OF GAITHERSBURG, MARYLAND		
	MODEL: ADAMS				



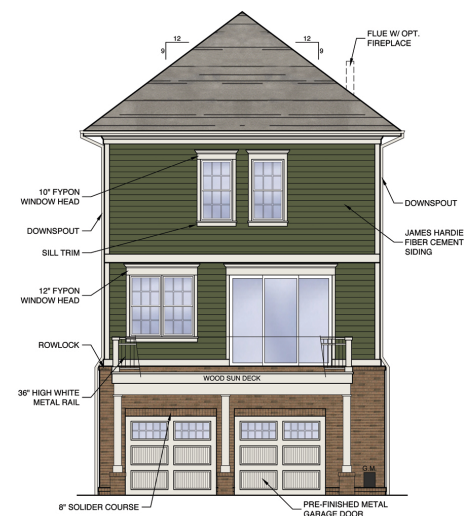
**FRONT ELEVATION**



**LEFT SIDE ELEVATION  
HIGH VISIBILITY**



**RIGHT SIDE ELEVATION**



**REAR ELEVATION**

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METAL ROOF:	BLACK
BRICK:	BLUE RIDGE REGENT
GARAGE DOOR:	ALMOND
SIDING:	MOUNTAIN SAGE
TRIM/ GUTTER:	PUTTY HILL
FRONT DOOR:	OLD COLONIAL RED
SHUTTERS:	OLD COLONIAL RED
SUN DECK RAILS:	WHITE
WROUGHT IRON RAILS:	BLACK

**CREASER/O'BRIEN  
ARCHITECTS<sup>®</sup>**  
1420 Q STREET, NW, SUITE 300  
WASHINGTON DC 20009  
PHONE: 202-289-9001

ELEVATION TYPE:  
**#2**  
COLOR SCHEME:  
**BRICK/ SIDING #1**  
MODEL:  
**ADAMS**

# **PARKLANDS SINGLE FAMILY HOMES** **CITY OF GAITHERSBURG, MARYLAND**

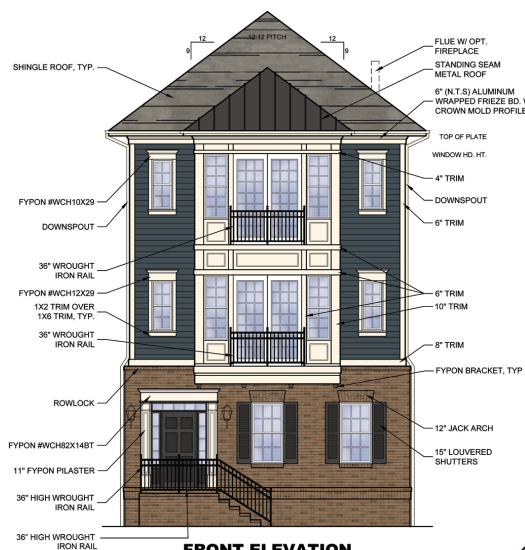
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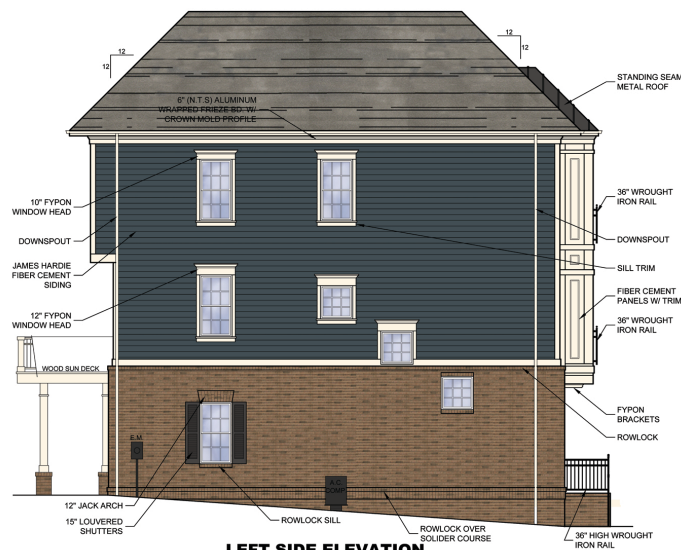
8120 WOODMONT AVENUE  
SUITE 300  
BETHESDA, MARYLAND 20814  
(301) 915-0404  
FAX: (301) 915-5482  
www.classiccommunitycorp.com

LOT #:  
**66E**

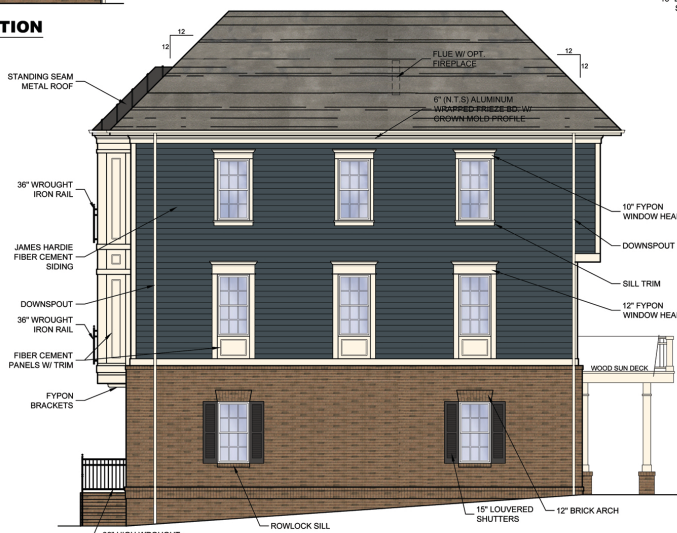




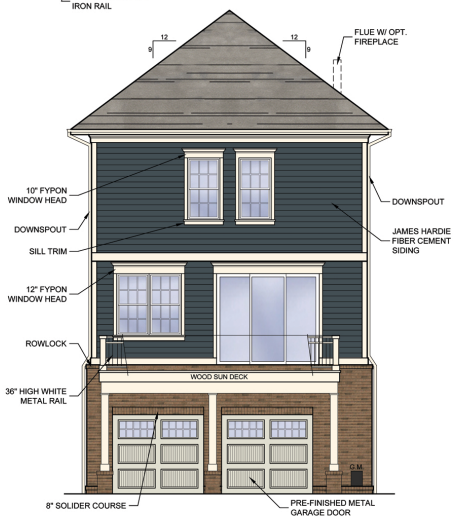
**FRONT ELEVATION**



**LEFT SIDE ELEVATION**



**RIGHT SIDE ELEVATION  
HIGH VISIBILITY**



**REAR ELEVATION**

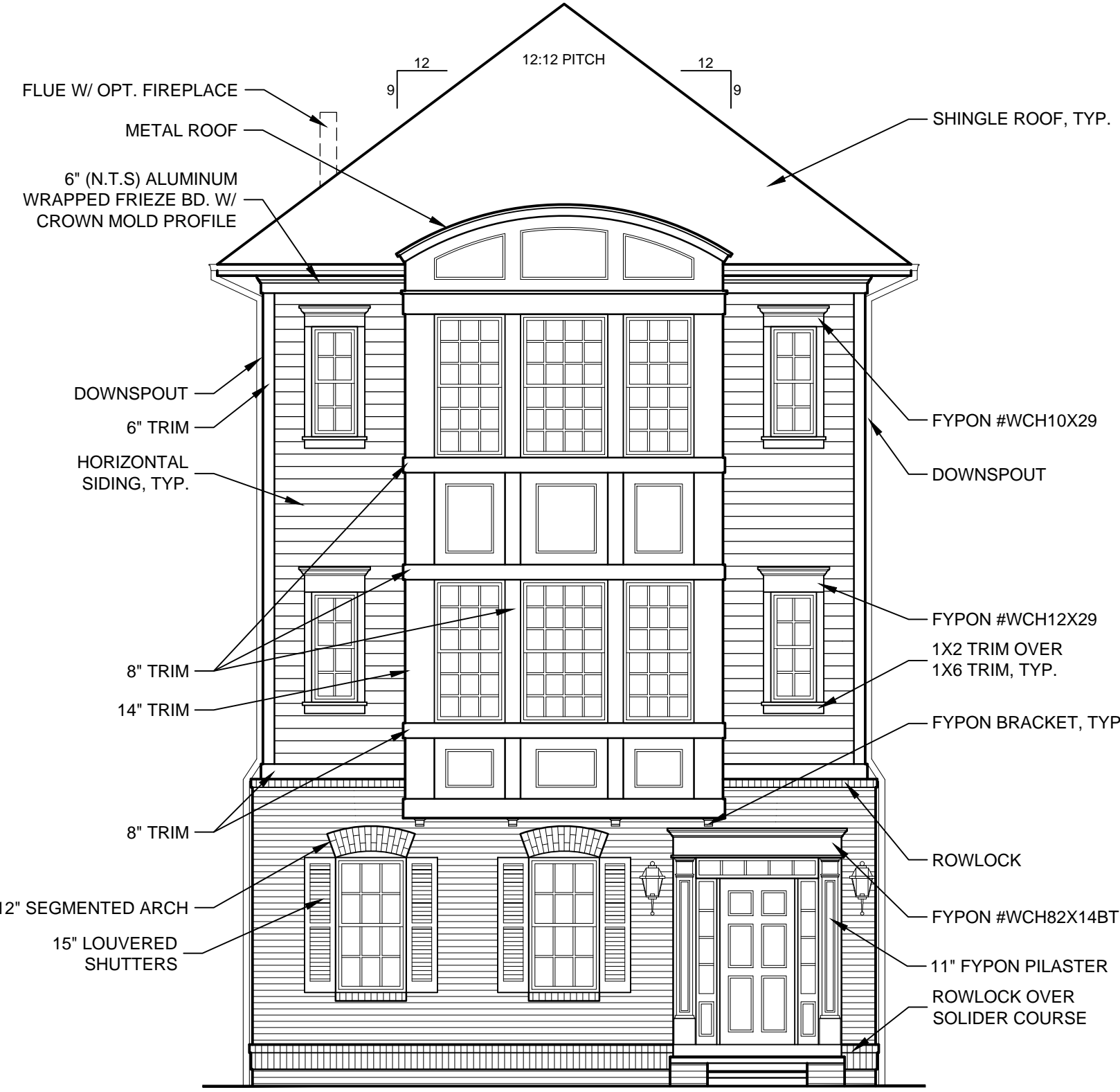
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FRONT DOOR:	BLACK
SHUTTERS:	BLACK
SUN DECK RAILS:	WHITE
WROUGHT IRON RAILS:	BLACK

<div>CREASER/O'BRIEN ARCHITECTS<sup>PC</sup></div> <div>1420 Q STREET, NW, SUITE 300 WASHINGTON DC 20009 PHONE: 202-289-9001</div>	ELEVATION TYPE: #3	PARKLANDS SINGLE FAMILY HOMES	DATE: 7-11-13	<div><div>CLASCO COMMUNITY CORPORATION A Fulltime Estate Company</div></div> <div>8120 WOODMONT AVENUE SUITE 300 BETHESDA, MARYLAND 20814 (301) 913-0404 FAX: (301) 913-5482 www.classiccommunitycorp.com</div>	LOT #:
	COLOR SCHEME: BRICK/ SIDING #2		CITY OF GAITHERSBURG, MARYLAND		SCALE: 3/16" = 1'-0"
	MODEL: ADAMS				

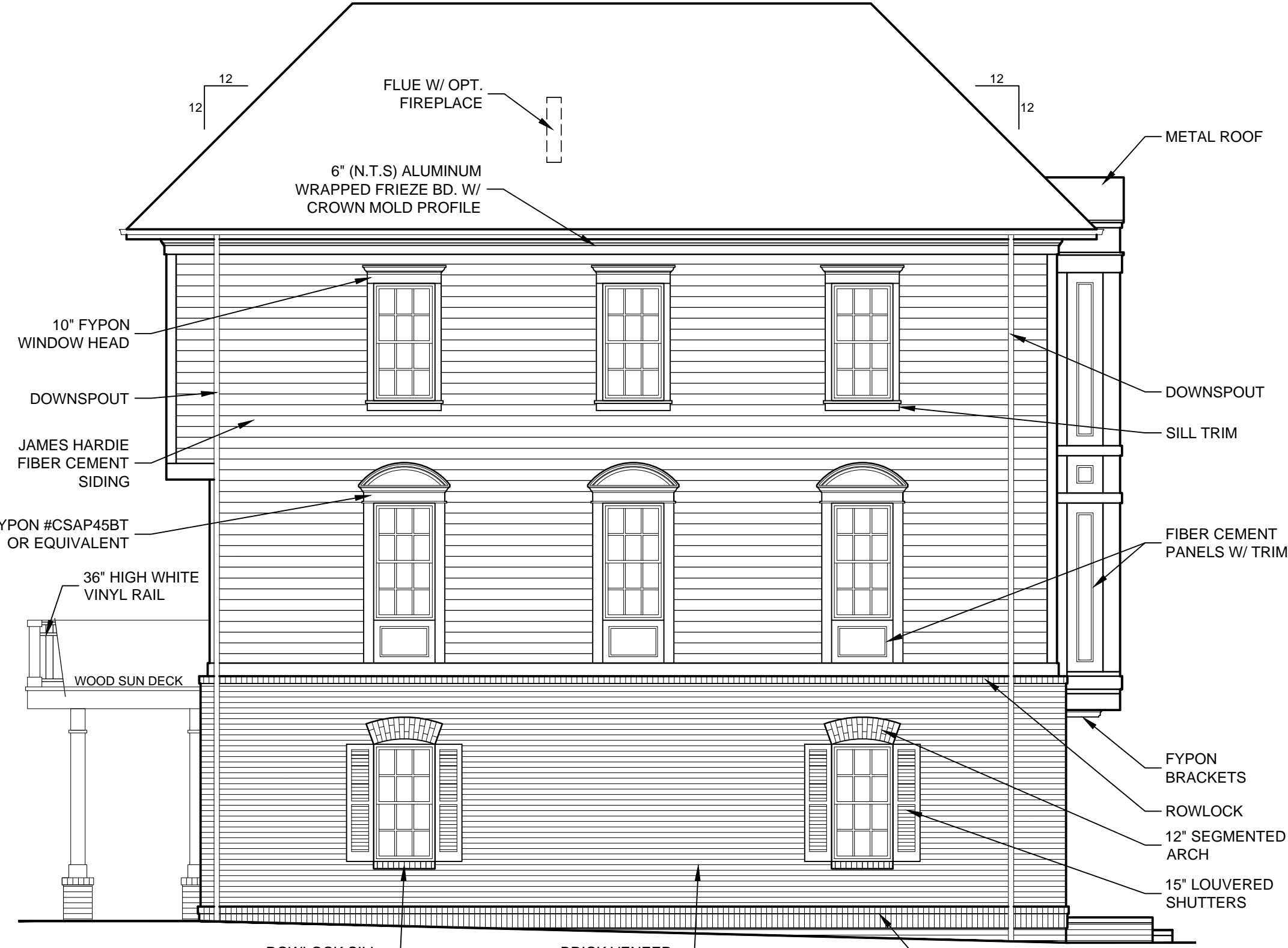


<b>BRICK #1</b>	
SHINGLES:	CHESTNUT
METAL ROOF:	BLACK
PRECAST:	SUEDE
BRICK	BLUE RIDGE REGENT
GARAGE DOOR:	SAND STONE
TRIM/ GUTTER:	AUTUMN BEIGE
FRONT DOOR:	BLACK
SHUTTERS:	N/A
SUN DECK RAILS:	WHITE
WROUGHT IRON RAILS:	BLACK

<b>CREASER/O'BRIEN</b> <b>ARCHITECTS<sup>PC</sup></b>  1420 Q STREET, NW, SUITE 300 WASHINGTON DC 20009 PHONE: 202-289-9001	ELEVATION TYPE: # 1	<b>PARKLANDS SINGLE FAMILY HOMES</b>  <b>CITY OF GAITHERSBURG, MARYLAND</b>	DATE: 7-11-13	 8120 WOODMONT AVENUE SUITE 300 BETHESDA, MARYLAND 20814 (301) 913-0404 FAX: (301) 913-5482 www.classiccommunitycorp.com	LOT #:  <b>45E</b>
	COLOR SCHEME: BRICK # 1		SCALE: 3/16" = 1'-0"		
	MODEL: ADAMS				

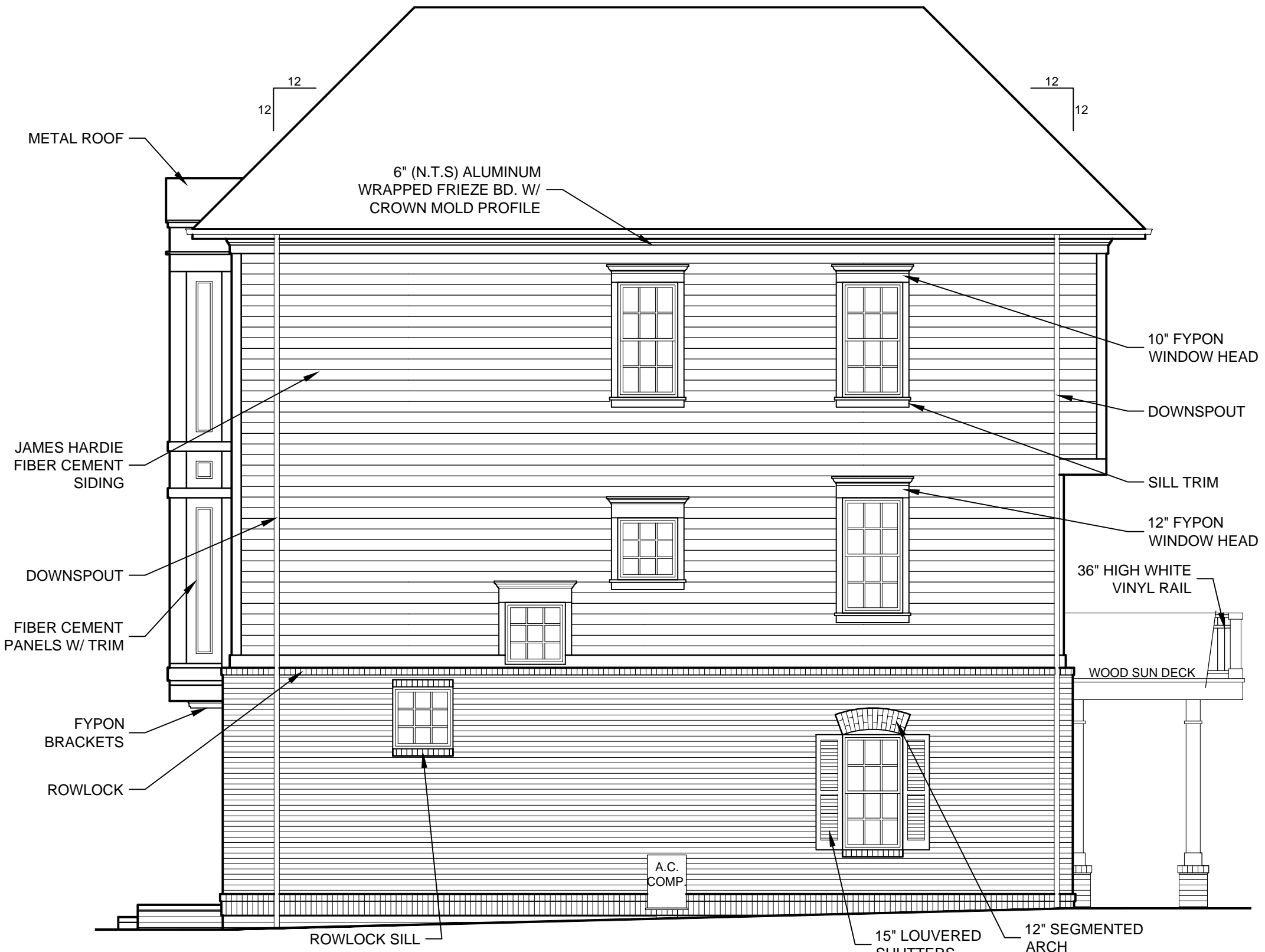


FRONT ELEVATION

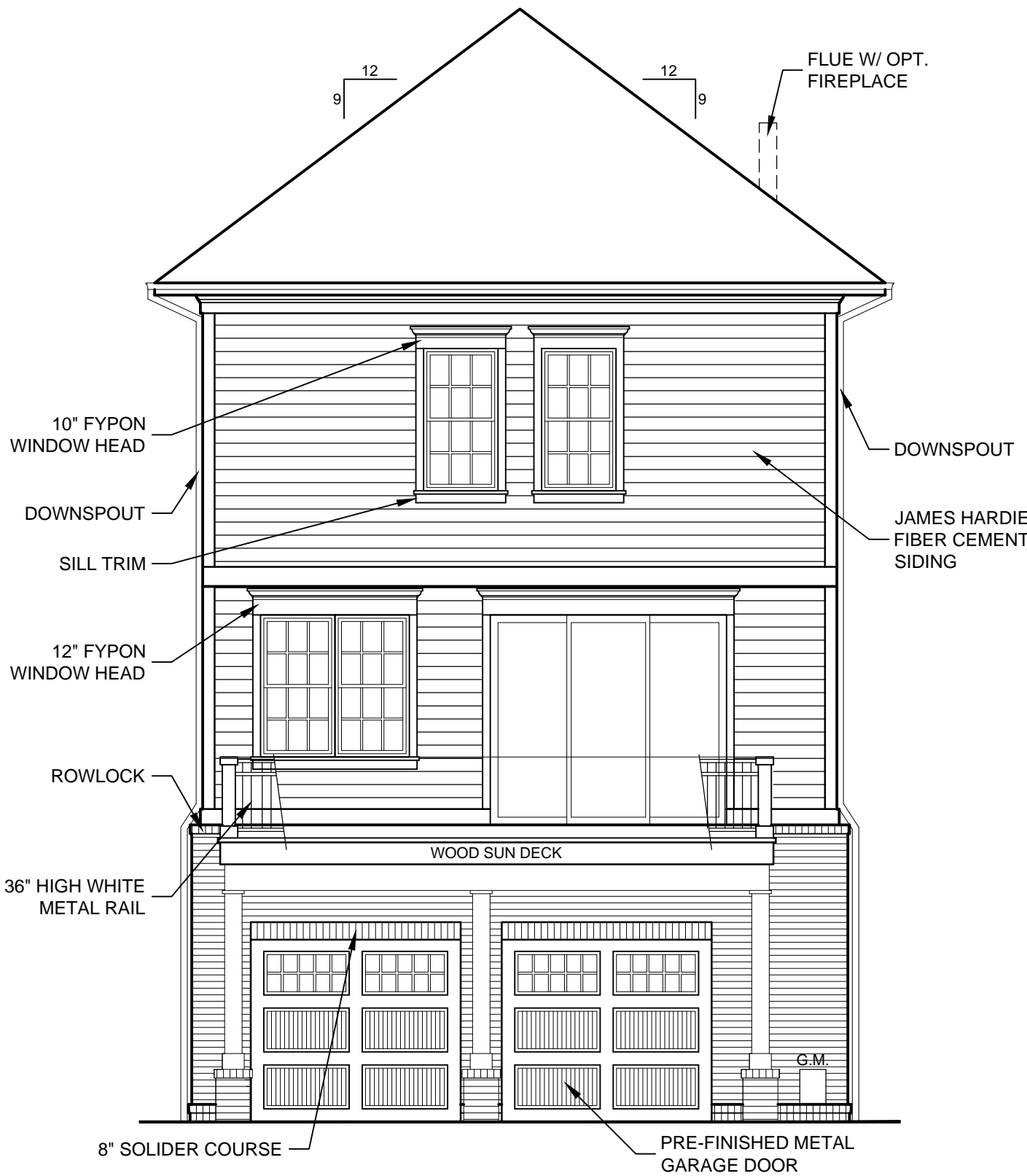


LEFT SIDE ELEVATION  
HIGH VISIBILITY

BRICK/ SIDING #1	
SHINGLES:	CHESTNUT
METAL ROOF:	BLACK
BRICK	BLUE RIDGE REGENT
GARAGE DOOR:	ALMOND
SIDING:	MOUNTAIN SAGE
TRIM/ GUTTER:	PUTTY HILL
FRONT DOOR:	OLD COLONIAL RED
SHUTTERS:	OLD COLONIAL RED
SUN DECK RAILS:	WHITE
WROUGHT IRON RAILS:	BLACK

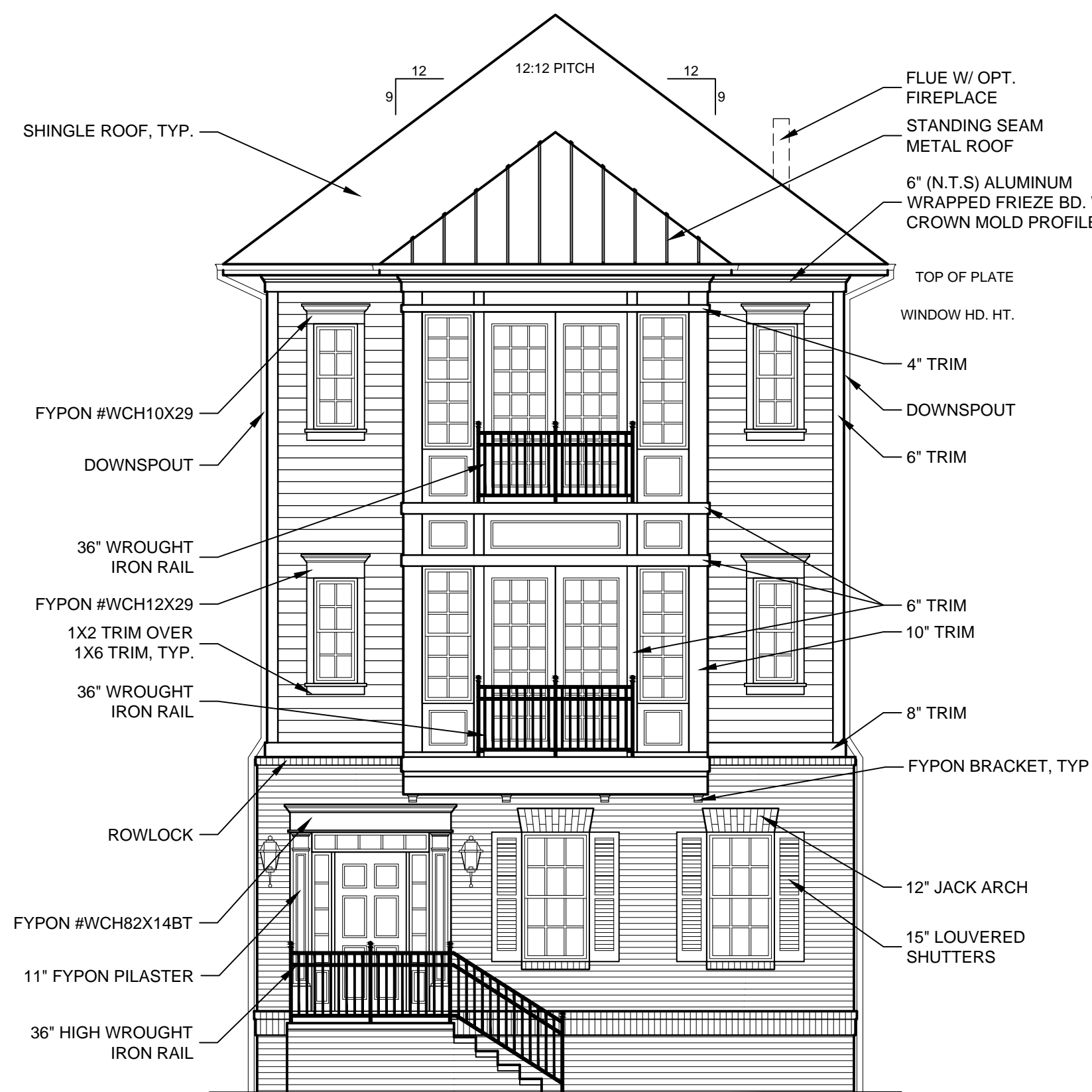


RIGHT SIDE ELEVATION

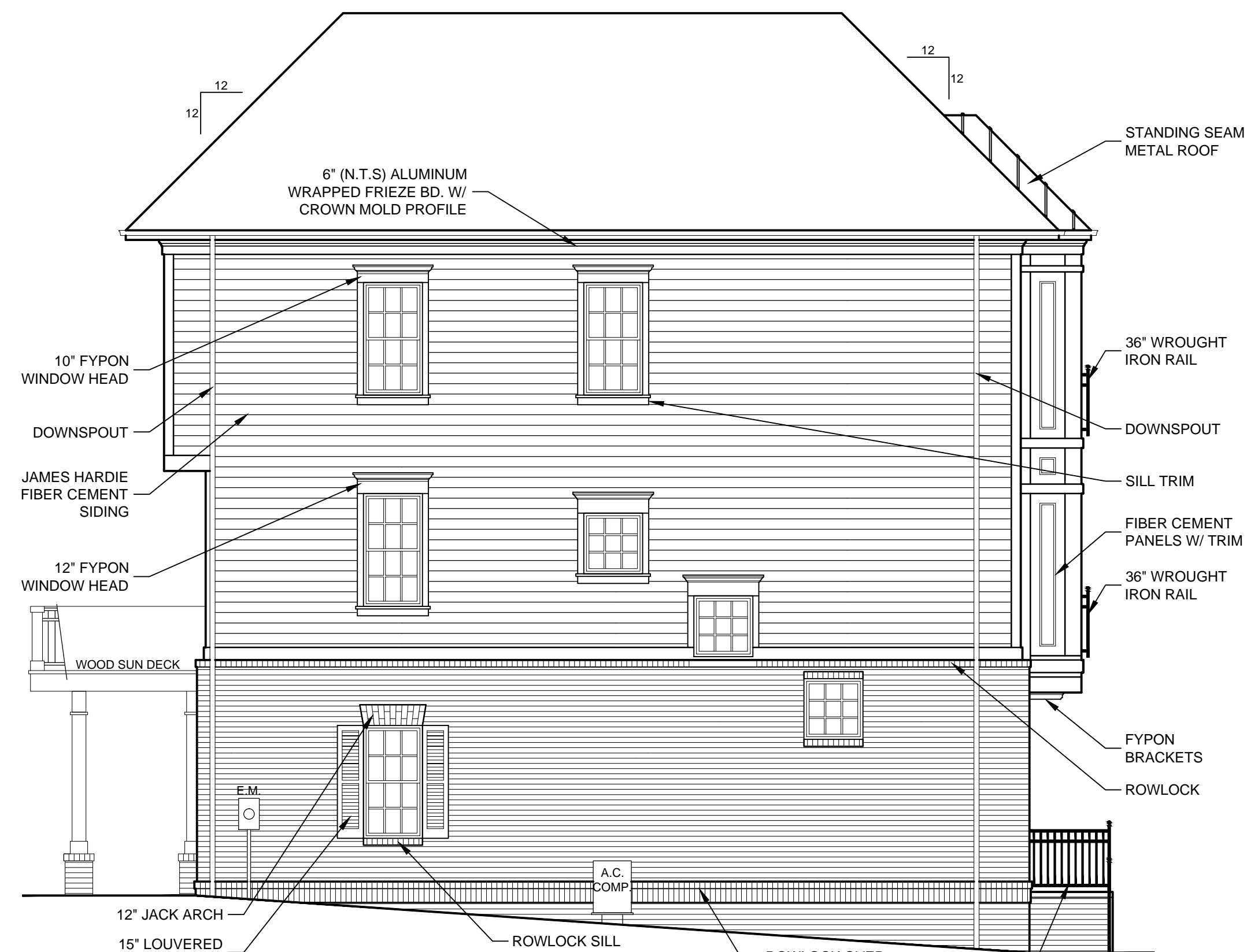


REAR ELEVATION

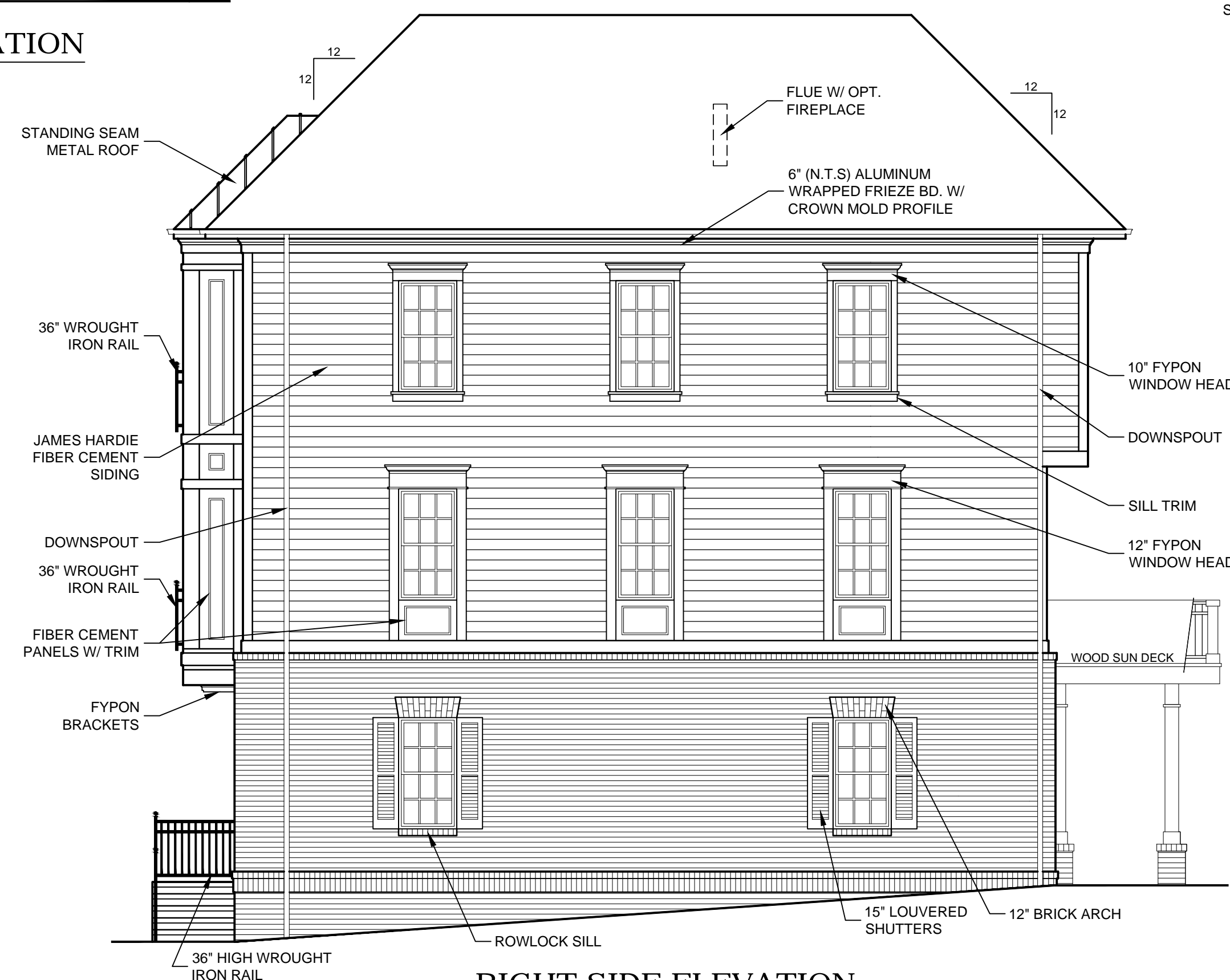
<b>CREASER/O'BRIEN</b> ARCHITECTS <sup>PC</sup> 1420 Q STREET, NW, SUITE 300 WASHINGTON DC 20009 PHONE: 202-289-9001	ELEVATION TYPE: #2	<b>PARKLANDS SINGLE FAMILY HOMES</b>  <b>CITY OF GAITHERSBURG, MARYLAND</b>	DATE: 7-11-13		8120 WOODMONT AVENUE SUITE 300 BETHESDA, MARYLAND 20814 (301) 913-0404 FAX:(301) 913-5482 www.classiccommunitycorp.com	LOT #:  <b>66E</b>
	COLOR SCHEME: BRICK/ SIDING #1		SCALE: 3/16" = 1'-0"			
	MODEL: ADAMS					



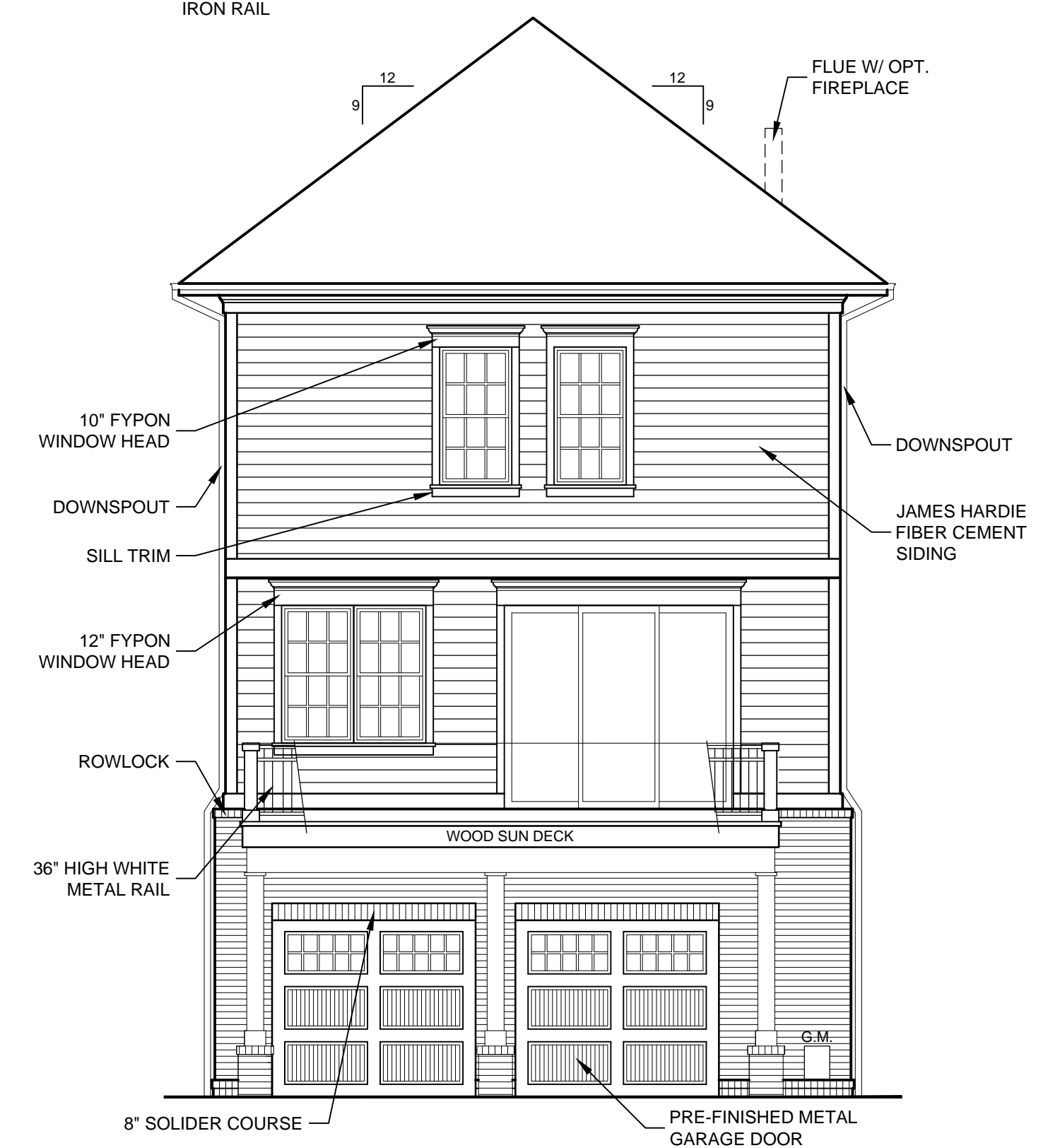
FRONT ELEVATION



LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION  
HIGH VISIBILITY



REAR ELEVATION

BRICK/ SIDING #2	
SHINGLES:	CHESTNUT
METAL ROOF:	BLACK
BRICK	BLUE RIDGE REGENT
GARAGE DOOR:	ALMOND
SIDING:	EVENING BLUE
TRIM/ GUTTER:	ISLAND PEARL
FRONT DOOR:	BLACK
SHUTTERS:	BLACK
SUN DECK RAILS:	WHITE
WROUGHT IRON RAILS:	BLACK

**CREASER/O'BRIEN**  
ARCHITECTS<sup>PC</sup>

1420 Q STREET, NW, SUITE 300  
WASHINGTON DC 20009  
PHONE: 202-289-9001

ELEVATION TYPE:  
#3

COLOR SCHEME:  
BRICK/ SIDING #2

MODEL:  
ADAMS

PARKLANDS SINGLE FAMILY HOMES

CITY OF GAITHERSBURG, MARYLAND

DATE:  
7-11-13

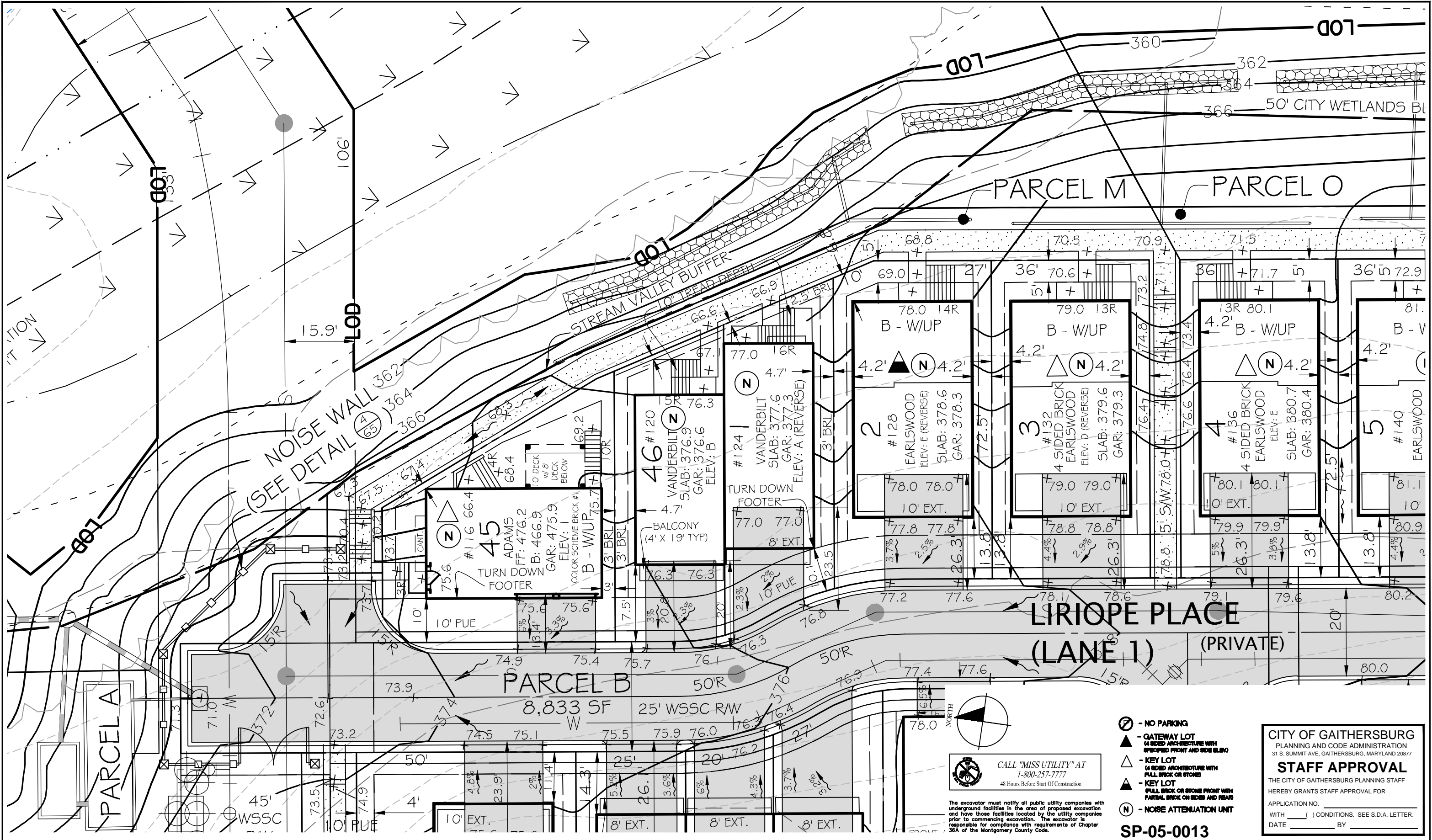
SCALE:  
3/16" = 1'-0"



8120 WOODMONT AVENUE  
SUITE 300  
BETHESDA, MARYLAND 20814  
(301) 913-0404  
FAX: (301) 913-5482  
www.classiccommunitycorp.com

LOT #:  
**83E**





REVISION	DATE	REVISION	DATE

Owner/Developer:  
MTG Acquisitions, LLC  
c/o Classic Group, LLC  
  
8120 Woodmont Avenue  
Bethesda, MD 20814  
Ph.: (301) 913-0404  
Contact: Ronald Lethbridge

LOT 45, BLOCK E  
FINAL SITE PLAN RE-SITE



19847 Century Boulevard  
Suite 200  
Gaithersburg, Maryland 20878  
Ph: (301) 913-0404 (Office)  
Ph: (301) 913-0405 (Mobile)  
www.rodgers.com

CALL "MISS UTILITY" AT  
1-800-257-7777  
48 Hours Before Start Of Construction

The excavator must notify all public utility companies with  
underground facilities in the area of proposed excavation  
and have those facilities located by the utility companies  
prior to commencing excavation. The excavator is  
responsible for compliance with requirements of Chapter  
36A of the Montgomery County Code.

BASE DATA	BY	DATE
DESIGNED	RCI	11/05
DRAWN	RCI	11/05
REVIEWED		
RODGERS CONTACT:	AL WESSSEL	
RELEASE FOR		
BY		

PARKLANDS AT WATKINS MILL  
TOWN CENTER

City of Gaithersburg  
9th election district  
Montgomery County, Maryland

SP-05-0013

SCALE: 1"=20'

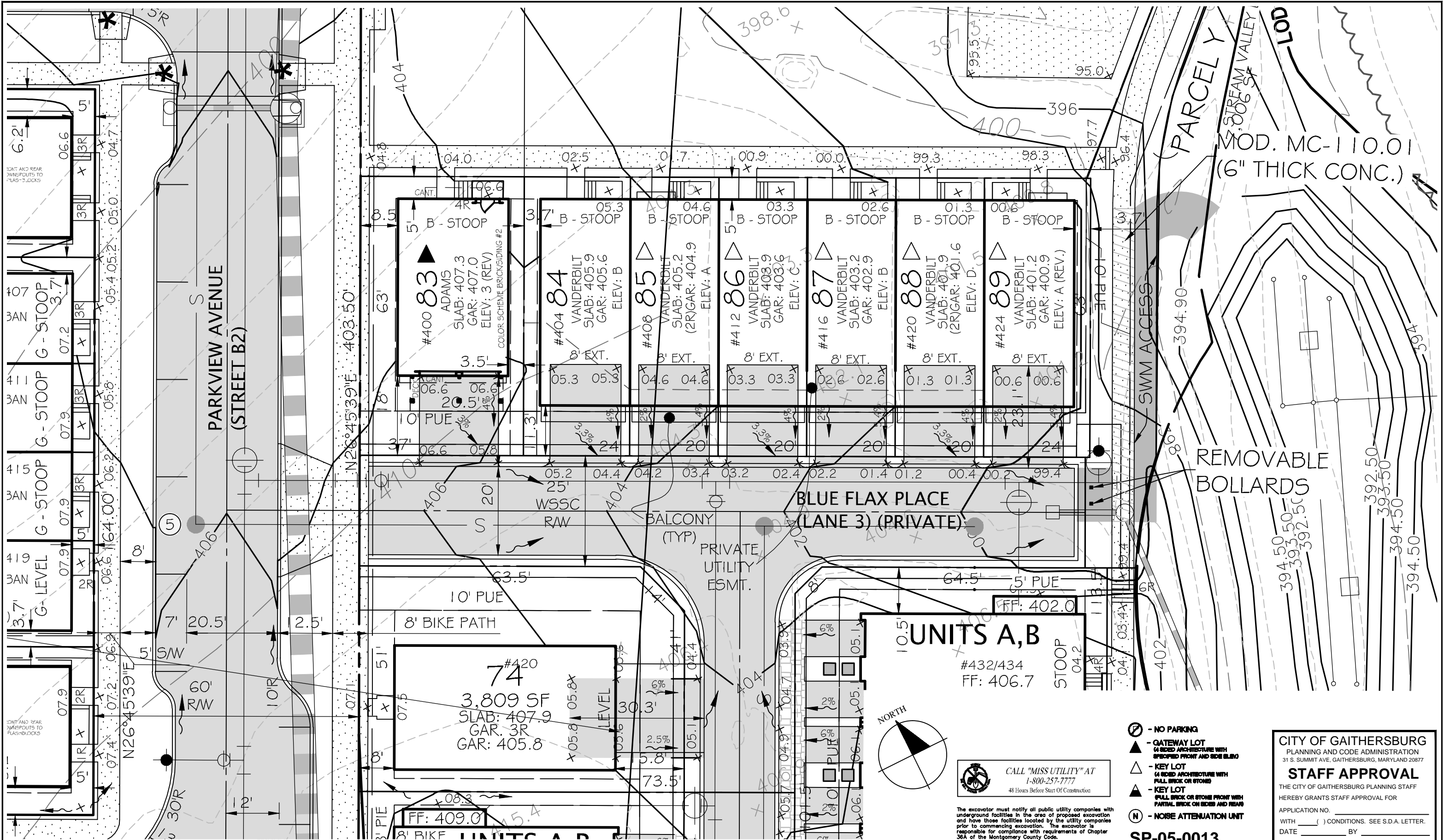
JOB No. 1137A

DATE: JUNE 13

SHEET No. 1 OF 1







REVISION	DATE	REVISION	DATE

Owner/Developer:  
MTG Acquisitions, LLC  
c/o Classic Group, LLC  
  
8120 Woodmont Avenue  
Bethesda, MD 20814  
Ph.: (301) 913-0404  
Contact: Ronald Lethbridge

LOT 83, BLOCK E  
FINAL SITE PLAN RE-SITE



13847 Century Boulevard  
Suite 200  
Gaithersburg, Maryland 20874  
Tel: 301-948-0700 (Office)  
Fax: 301-948-0336  
www.rodgers.com

BASE DATA	BY	DATE
DESIGNED	RCT	11/05
DRAWN	LFC	03/21/08
REVIEWED	GHT	03/24/08
REVISIONS	CONTACT	AL WESSEL
RELEASE FOR		
BY	DATE	

PARKLANDS AT WATKINS MILL  
TOWN CENTER

City of Gaithersburg  
9th election district  
Montgomery County, Maryland

SCALE:	1"=20'
JOB No.	0817D1
DATE:	MARCH 2013
SHEET No.	1 OF 1

- NO PARKING
  - GATEWAY LOT  
(4 SIDED ARCHITECTURE WITH SPECIFIED FRONT AND SIDE BLEND)
  - KEY LOT  
(4 SIDED ARCHITECTURE WITH FULL BRICK OR STONE)
  - KEY LOT  
(FULL BRICK OR STONE FRONT WITH PARTIAL BRICK ON SIDES AND REAR)
  - NOISE ATTENUATION UNIT
- SP-05-0013

CITY OF GAITHERSBURG  
PLANNING AND CODE ADMINISTRATION  
31 S. SUMMIT AVE, GAITHERSBURG, MARYLAND 20877

**STAFF APPROVAL**

THE CITY OF GAITHERSBURG PLANNING STAFF  
HEREBY GRANTS STAFF APPROVAL FOR

APPLICATION NO. \_\_\_\_\_  
WITH ( ) CONDITIONS. SEE S.D.A. LETTER.  
DATE \_\_\_\_\_ BY \_\_\_\_\_

CALL "MISS UTILITY" AT  
1-800-257-7777  
48 Hours Before Start Of Construction

The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 36A of the Montgomery County Code.



MATCH LINE, SEE SHEET 10

SHT 8 |

\*NOTE: SEE BUILDING CONSTRUCTION PLANS FOR SLAB THICKNESS AND DETAILS

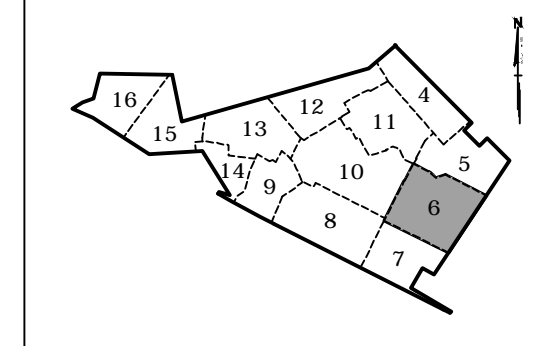
TYPICAL TURN DOWN SLAB DETAIL

STAMPED CONCRETE SECTION  
N.T.S.

\*ANCHOR STOOP TO BUILDING WHEN IN STORM DRAIN EASEMENT.

LOT 74/E, UNITS 1-12,  
PARCEL Q/E & UNITS 1-8,  
PARCEL R/E DRIVEWAY  
LENGTHS ARE SUBJECT TO  
STAFF APPROVAL.

MATCH LINE, SEE SHEET 7



## SHEET INDEX

CITY OF GAITHERSBURG DEPARTMENT OF PUBLIC WORKS, PARK MAINTENANCE, AND ENGINEERING	
<b>FINAL APPROVAL</b>	
DATE _____	_____
BY _____	_____

CITY OF GAITHERSBURG PLANNING COMMISSION  
31 SOUTH SUMMIT AVENUE, GAITHERSBURG, MARYLAND 20877

## SITE PLAN APPROVAL

AT THE REGULARLY SCHEDULED MEETING OF THE PLANNING

COMMISSION HELD ON \_\_\_\_\_  
APPLICATION NO. \_\_\_\_\_ WAS GRANTED

AMENDMENT TO FINAL PLAN APPROVAL

WITH \_\_\_\_\_ ( ) CONDITIONS. SEE S.D.A. LETTER \_\_\_\_\_  
DATE \_\_\_\_\_ BY \_\_\_\_\_



CALL "MISS UTILITY" AT  
1-800-257-7777  
48 Hours Before Start Of Construction

The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 36A of the Montgomery County Code.

A MARYLAND REGISTERED PROFESSIONAL ENGINEER OR ARCHITECT SEAL AND SIGNATURE ON PLANS WILL BE ACCEPTED AS PRIMA FACIE EVIDENCE THAT PLANS ARE IN COMPLIANCE WITH APPLICABLE CODES AND REGULATIONS.

**SP-05-0013**



SCALE:	1" = 30'
JOB No.	1002A
DATE:	NOV., 200
SHEET No.	6 OF

N:\MD-Montgomery-City of Gaithersburg\Parklands\DWG\West Site Plan\04-16-Site-Plan.dwg Sheet06 Jun 12, 2013, 3:28pm

Owner/Developer:  
BP Realty Investments, LLC  
c/o Classic Group, LLC  
8120 Woodmont Avenue, Suite 300  
Bethesda, Maryland 20814  
Ph.:(301) 913-0404  
Contact: Wm. P. Gerald, Jr.

## FINAL SITE PLAN

**RODGERS**  
CONSULTING  
*Enhancing the value of land assets*

Rodgers Consulting, Inc.  
19847 Century Blvd., Suite 200  
Germantown, MD 20874  
301.948.4700  
301.948.6256 (fax)  
301.253.6609  
[www.rodgers.com](http://www.rodgers.com)

	BY	DATE
BASE DATA	RCI	11/05
DESIGNED	RCI	11/05
DRAWN	MP	11/05
REVIEWED	GU	11/05

RODGERS CONTACT: G. UNTERBERG

RELEASE FOR \_\_\_\_\_

BY \_\_\_\_\_ DATE \_\_\_\_\_

## WEST END AT WATKINS MILL TOWN CENTER

City of Gaithersburg  
9th election district  
Montgomery County, Maryland







# LEGEND

- PARKS/OPEN SPACE
- GATEWAY LOTS - 4 SIDED ARCHITECTURE WITH SPECIFIC FRONT AND SIDE ELEVATION SPECIFIED
- KEY LOTS - 4 SIDED ARCHITECTURE WITH FULL BRICK OR STONE (60% OF 331 SFA, SFD, LOFT UNITS & URBAN TOWNHOUSES= 199 TOTAL 4 SIDED BRICK UNITS 70 SFA + 72 SFD + 20 LOFT + 37 URBAN TOWNS= 199 TOTAL 4 SIDED BRICK UNITS WITH SIDING ABOVE
- 4 SIDED SIDING

UNIT REQUIRING NOISE MITIGATION

## SWIMMING POOL USERS:

- Residential Area Units:
- a) Townhouse: 180
  - b) Stacked Townhouse: 142
  - c) Cottage: 11
  - d) Single Family Rear Garage: 60
  - e) Single Family Front Garage: 23

Total Residential Area Units 416

Total Residential Units 416

Swimming Pool Users: 416 x 0.86 = 358

## REQUIRED SWIMMING POOL/DECK SIZE:

- Members x 10
- 358 x 10
- 3,580 S.F.

## PROPOSED POOL SIZE

- 4,110 S.F.
- 150 S.F. Wading Pool

## REQUIRED DECK SIZE:

- Deck Size = Pool Size
- 3,580 S.F.

## PROPOSED DECK SIZE

- 6,700 S.F. Δ

Note:  
1) Applicant to provide a swimming pool that is sized according to Montgomery County Health Department, IBC and BOCA Standards.

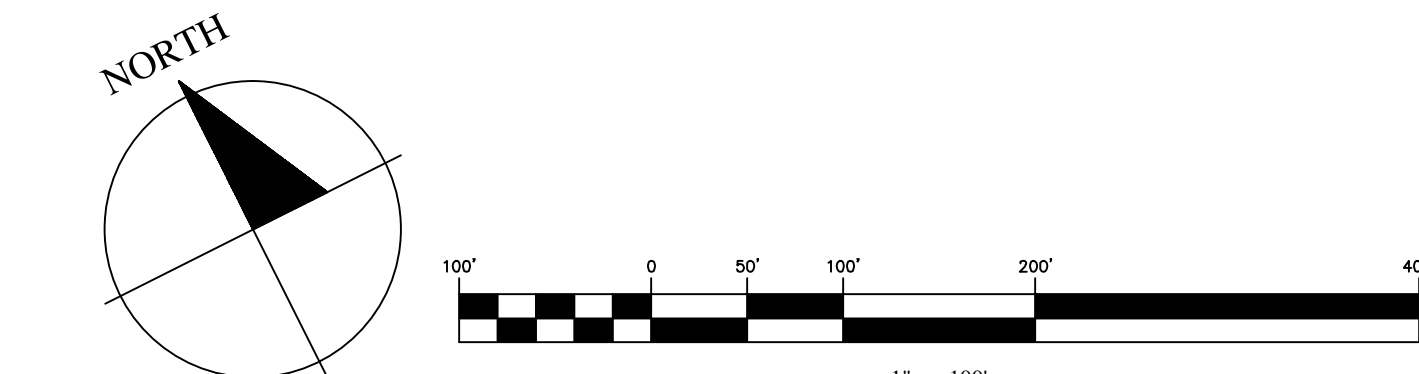
## NOISE MITIGATION CHART PREPARED BY PHEONIX NOISE & VIBRATION (REPORT #070828)

Block	Lot	House Type	Noise Level	Window	Wall	Door
1	1	Cottage	73	36	43	36
2	2	Cottage	73	36	43	36
3	3	Cottage	73	36	43	36
4	4	Cottage	73	36	43	36
5	5	Cottage	73	36	43	36
6	6	Cottage	73	36	43	36
7	7	Cottage	73	36	43	36
8	8	Cottage	73	36	43	36
9	9	Cottage	73	36	43	36
10	10	Cottage	73	36	43	36
11	11	Cottage	73	36	43	36
12	12	Cottage	73	36	43	36
13	13	Cottage	73	36	43	36
14	14	Cottage	73	36	43	36
15	15	Cottage	73	36	43	36
16	16	Cottage	73	36	43	36
17	17	Cottage	73	36	43	36
18	18	Cottage	73	36	43	36
19	19	Cottage	73	36	43	36
20	20	Cottage	73	36	43	36
21	21	Cottage	73	36	43	36
22	22	Cottage	73	36	43	36
23	23	Cottage	73	36	43	36
24	24	Cottage	73	36	43	36
25	25	Cottage	73	36	43	36
26	26	Cottage	73	36	43	36
27	27	Cottage	73	36	43	36
28	28	Cottage	73	36	43	36
29	29	Cottage	73	36	43	36
30	30	Cottage	73	36	43	36
31	31	Cottage	73	36	43	36
32	32	Cottage	73	36	43	36
33	33	Cottage	73	36	43	36
34	34	Cottage	73	36	43	36
35	35	Cottage	73	36	43	36
36	36	Cottage	73	36	43	36
37	37	Cottage	73	36	43	36
38	38	Cottage	73	36	43	36
39	39	Cottage	73	36	43	36
40	40	Cottage	73	36	43	36
41	41	Cottage	73	36	43	36
42	42	Cottage	73	36	43	36
43	43	Cottage	73	36	43	36
44	44	Cottage	73	36	43	36
45	45	Cottage	73	36	43	36
46	46	Cottage	73	36	43	36
47	47	Cottage	73	36	43	36
48	48	Cottage	73	36	43	36
49	49	Cottage	73	36	43	36
50	50	Cottage	73	36	43	36
51	51	Cottage	73	36	43	36
52	52	Cottage	73	36	43	36
53	53	Cottage	73	36	43	36
54	54	Cottage	73	36	43	36
55	55	Cottage	73	36	43	36
56	56	Cottage	73	36	43	36
57	57	Cottage	73	36	43	36

Block	Lot	House Type	Noise Level	Window	Wall	Door
1	1	Cottage	73	36	43	36
2	2	Cottage	73	36	43	36
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53	53	Cottage	73	36	43	36
54	54	Cottage	73	36	43	36
55	55	Cottage	73	36	43	36
56	56	Cottage	73	36	43	36
57	57	Cottage	73	36	43	36

Indicates facade requiring resilient channel  
Indicates all brick facades



Note: Location of 4-sided full brick units subject to change depending on builder/purchaser option. The corner lots must be 4 sided brick. The minimum number of 4 sided brick units is 199.

## KEY LOT PLAN

**RODGERS CONSULTING**  
Enhancing the value of land assets

Rodgers Consulting, Inc.  
19847 Century Blvd., Suite 200  
Germantown, MD 20874  
301.948.4700  
301.948.6256 (fax)  
301.253.6609  
www.roddgers.com

BASE DATA  
DESIGNED  
DRAWN  
REVIEWED  
RODGERS CONTACT:  
RELEASE FOR  
BY: DATE:

## WEST END AT WATKINS MILL TOWN CENTER

City of Gaithersburg  
9th election district  
Montgomery County, Maryland

SCALE: 1" = 100'  
JOB No. 1002A  
DATE NOV., 2005  
SHEET No. 68 of 82



- LEGEND**
- PARKS/OPEN SPACE
  - GATEWAY LOTS - 4 SIDED ARCHITECTURE WITH SPECIFIC FRONT AND SIDE ELEVATION SPECIFIED
  - KEY LOTS - 4 SIDED ARCHITECTURE WITH FULL BRICK OR STONE (60% OF 331 SFA, SFD, LOFT UNITS & URBAN TOWNHOUSES= 199 MINIMUM) 70 SFA + 72 SFD + 20 LOFT + 37 URBAN TOWNS= 199 TOTAL 4 SIDED BRICK UNITS
  - BRICK FRONT WITH FIRST FLOOR BRICK ON 4 SIDES WITH SIDING ABOVE
  - 4 SIDED SIDING

**UNIT REQUIRING NOISE MITIGATION**

**SWIMMING POOL USERS:**

**Residential Area Units:**

- a) Townhouse: 180
- b) Stacked Townhouse: 142
- c) Cottage: 11
- d) Single Family Rear Garage: 60
- e) Single Family Front Garage: 23

**Total Residential Area Units: 416**

**Total Residential Units: 416**

**Swimming Pool Users: 416 x 0.86 = 358**

**REQUIRED SWIMMING POOL/DECK SIZE:**

Members x 10  
358 x 10  
3,580 S.F.

**PROPOSED POOL SIZE**

4,110 S.F.  
150 S.F. Wading Pool

**REQUIRED DECK SIZE:**

Deck Size = Pool Size  
3,580 S.F.

**PROPOSED DECK SIZE**

6,700 S.F.

Note:  
1) Applicant to provide a swimming pool that is sized according to Montgomery County Health Department, IBC and BOCA Standards.

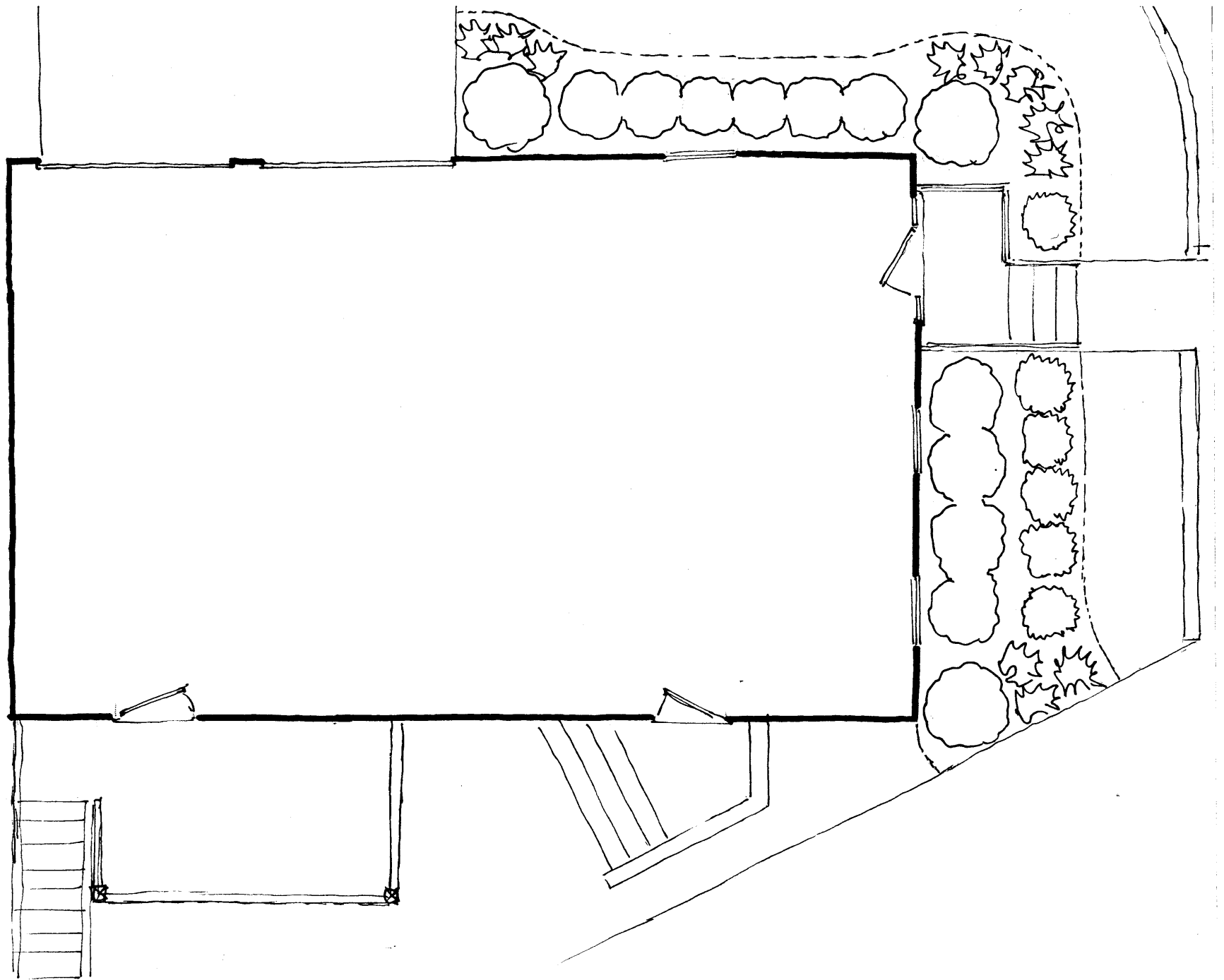
**GATEWAY LOTS:**

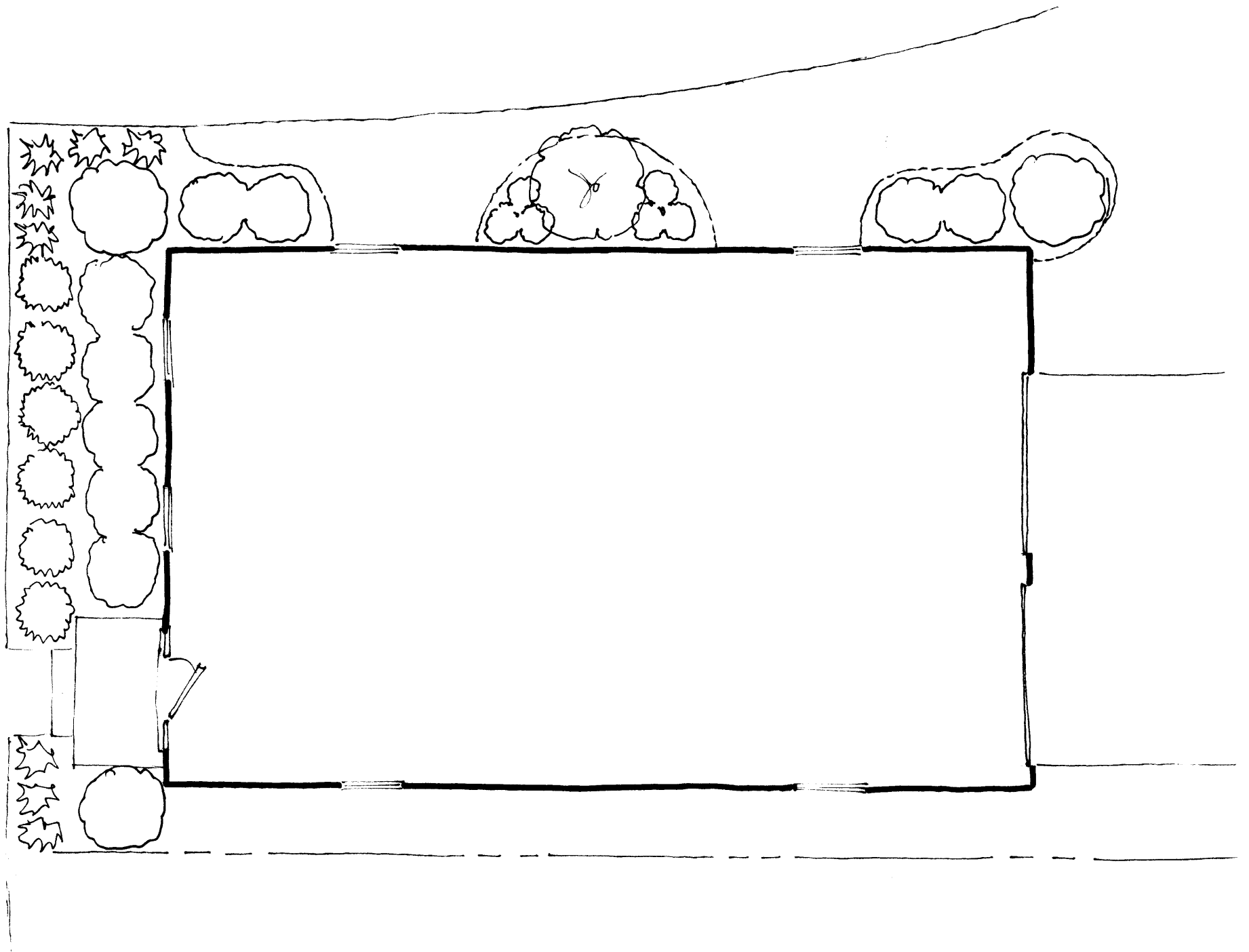
- △ 44E - EARLSWOOD ELEV. B - ENHANCED LEFT SIDE ELEV. W/ BRICK & STONE VENEER
- △ 66E - ADAMS ELEV. 2- ENHANCED LEFT SIDE ELEV.
- △ 83E - ADAMS ELEV. 3- ENHANCED RIGHT SIDE ELEV.
- △ 14F - EARLSWOOD ELEV. E - ENHANCED RIGHT SIDE ELEV. W/ BRICK VENEER
- △ 18F - EARLSWOOD ELEV. G - ENHANCED LEFT SIDE ELEV. W/ BRICK & STONE VENEER
- △ 28I - BARTHOLOMEW ELEV. F - ENHANCED LEFT SIDE ELEV. W/ BRICK VENEER
- △ 48I - EARLSWOOD ELEV. D - ENHANCED RIGHT SIDE ELEV. W/ BRICK & STONE VENEER
- △ 50I - EARLSWOOD ELEV. F - ENHANCED LEFT SIDE ELEV. W/ BRICK VENEER
- △ 5M - DARTMOUTH ELEV. B - ENHANCED LEFT SIDE ELEV. W/ BRICK VENEER
- △ 5N - DARTMOUTH ELEV. B - ENHANCED RIGHT SIDE ELEV. W/ BRICK VENEER
- △ 20N - GIBRALTAR ELEV. C - ENHANCED LEFT SIDE ELEV. W/ BRICK VENEER
- △ 17O - EARLSWOOD ELEV. C - ENHANCED RIGHT SIDE ELEV. W/ BRICK & STONE VENEER
- △ 26E - MADISON ELEV# 1- ENHANCED FRONT ELEVATION FACING CIRCLE
- △ 27E - MADISON ELEV# 2- ENHANCED FRONT ELEVATION FACING CIRCLE
- △ 20G - MADISON ELEV# 3- ENHANCED FRONT ELEVATION FACING CIRCLE
- △ 34H - MADISON ELEV# 2- ENHANCED FRONT ELEVATION FACING CIRCLE W/ SIDE DECK/PATIO

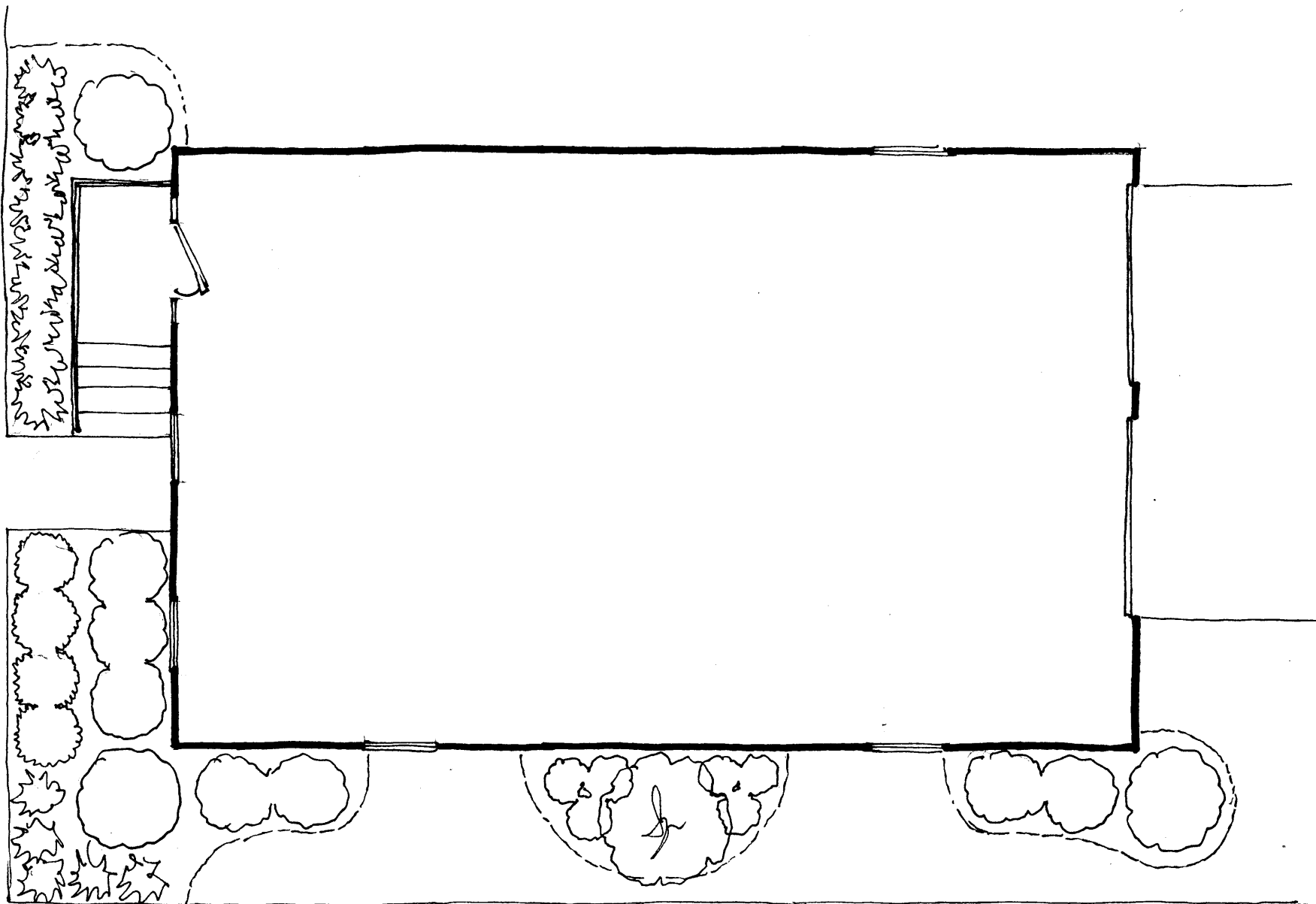
**NOISE MITIGATION CHART**  
PREPARED BY PHONIX NOISE & VIBRATION  
(REPORT #070828)

Block	Lot	House Type	Noise Level	Window	STC Rating	Door
A	1	Enney	71	35	45	35
	2	Cape Hatteras	70	30	43	27
	3	Cape Hatteras	70	28	46	27
	4	Cape Hatteras	72	29	45	27
	5	Cape Hatteras	70	25	45	27
	6	Cape Hatteras	70	27	45	27
	7	Cape Hatteras	72	29	45	27
	8	Cape Hatteras	70	28	45	27
	9	Cape Hatteras	71	27	45	27
	10	Cape Hatteras	71	27	45	27
B	11	Cape Hatteras	71	27	45	27
	12	Cape Hatteras	71	27	45	27
	13	Cape Hatteras	71	27	45	27
	14	Enney	70	27	45	27
	15	Enney	70	27	45	27
	16	Enney	70	27	45	27
	17	Enney	70	27	45	27
	18	Enney	70	27	45	27
	19	Enney	70	27	45	27
	20	Enney	70	27	45	27
C	21	Enney	70	27	45	27
	22	Enney	70	27	45	27
	23	Enney	70	27	45	27
	24	Enney	70	27	45	27
	25	Enney	70	27	45	27
	26	Enney	70	27	45	27
	27	Enney	70	27	45	27
	28	Enney	70	27	45	27
	29	Enney	70	27	45	27
	30	Enney	70	27	45	27
D	31	Enney	70	27	45	27
	32	Enney	70	27	45	27
	33	Enney	70	27	45	27
	34	Cape Hatteras	70	29	45	27
	35	Cape Hatteras	70	29	45	27
	36	Cape Hatteras	70	29	45	27
	37	Cape Hatteras	70	29	45	27
	38	Cape Hatteras	70	29	45	27
	39	Cape Hatteras	70	29	45	27
	40	Cape Hatteras	70	29	45	27
E	41	Cape Hatteras	70	29	45	27
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	43	Cape Hatteras	70	29	45	27
	44	Cape Hatteras	70	29	45	27
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F	51	Cape Hatteras	70	29	45	27
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G	61	Cape Hatteras	70	29	45	27
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	248	Cape Hatteras	70	29	45	27
	249	Cape Hatteras	70	29	45	27
	250	Cape Hatteras	70	29</		









## Parklands - Adams Homes

## EXTERIOR COLOR SCHEME AND MATERIAL LIST

Lot Block	Scheme	Type/Elev	Shingle	Metal Roof	Brick	Garage Door	Siding	Trim/Gutter	Front Door	Shutters
45E	Brick 1	Adams/1	Chestnut	Black	Blue Ridge Regent/Suede Pre-cast	Sandstone	N/A	Autumn Beige	Black	N/A
66E	Brick/Siding 1	Adams/2	Chestnut	Black	Blue Ridge Regent	Almond	Mountain Sage	Putty Hill	Old Colonial Red	Old Colonial Red
83E	Brick/Siding 2	Adams/3	Chesnut	Black	Blue Ridge Regent	Almond	Evening Blue	Island Pearl	Black	Black

**Four sided Brick lot 45E**

**Four sided first floor brick water table with siding lots 66E and 83E**

## Siding is James Hardie Color Plus

## McCormick Paints

## C.H.I. garage doors

**Front door paint color will include the side-lites, secondary doors are painted the trim color**

**Windows are Ply-Gem all vinyl white**

**Vinyl soffits, metal rakes, eaves, fascia, gutters and downspouts will match the trim color**

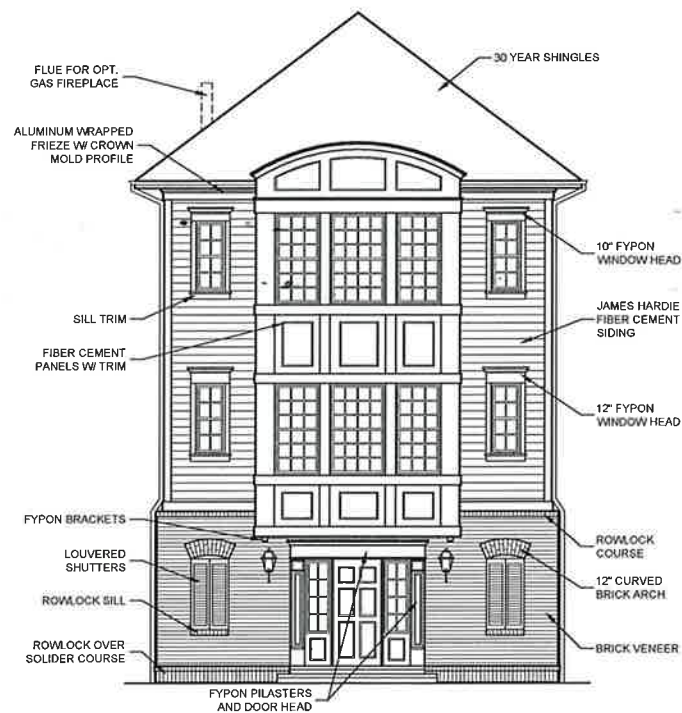
## Siding is James Hardie Color Plus

**Mortar is Colonial Tan w/ Grapevine joint**

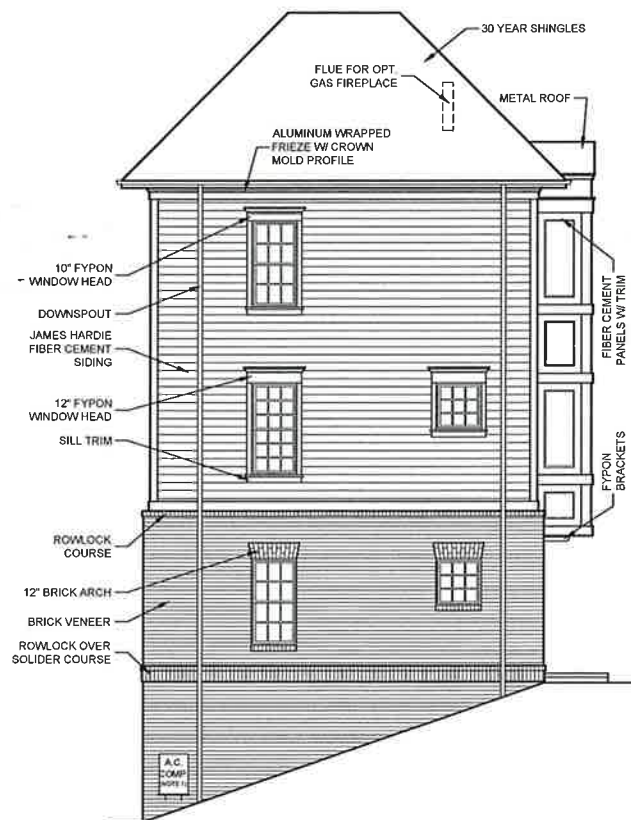
**Veneer Brick from General Shale, Paver brick will all be General Shale Full Range**

## Metal Roofing is Englert aluminum

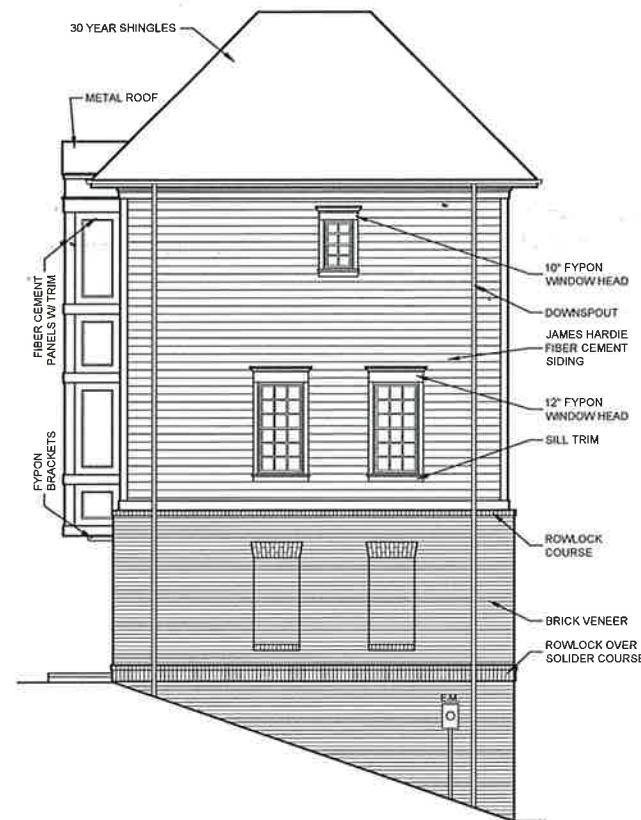




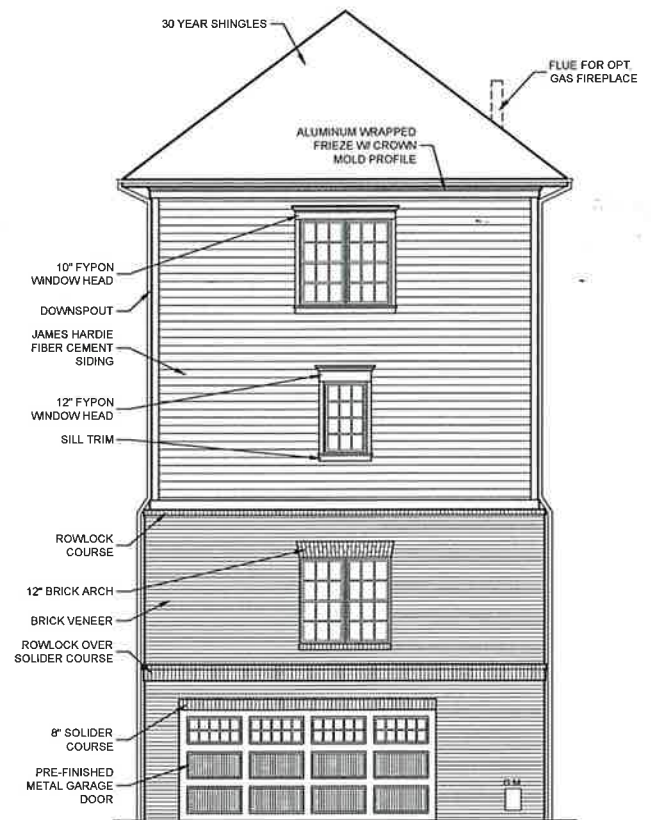
**FRONT ELEVATION**



**LEFT SIDE ELEVATION  
HIGH VISIBILITY**



**RIGHT SIDE ELEVATION  
HIGH VISIBILITY**



**REAR ELEVATION**

1 BRICK/ SIDING	
SHINGLES:	CHARCOAL
METAL ROOF:	BLACK
PRECAST:	N/A
BRICK:	SALEM CREEK
GARAGE DOOR:	ALMOND
SIDING:	AUTUMN TAN
TRIM/ GUTTER:	ISLAND PEARL
FRONT DOOR:	OLD COLONIAL RED
SHUTTERS:	OLD COLONIAL RED

NOTE 1: PROVIDE LANDSCAPE SCREEN AT A.C. COMPRESSOR

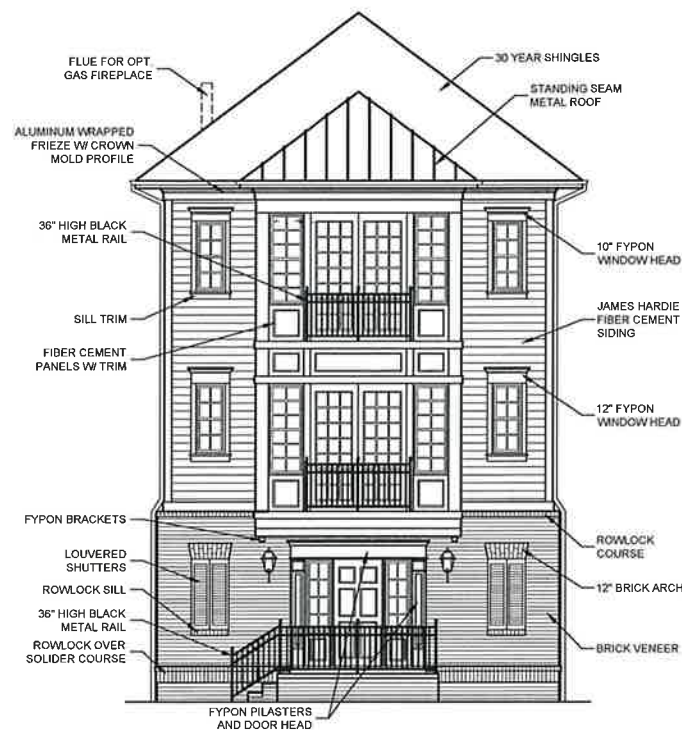
CITY OF GAITHERSBURG PLANNING COMMISSION  
31 SOUTH SUMMIT AVENUE, GAITHERSBURG, MARYLAND 20877

**SITE PLAN APPROVAL**

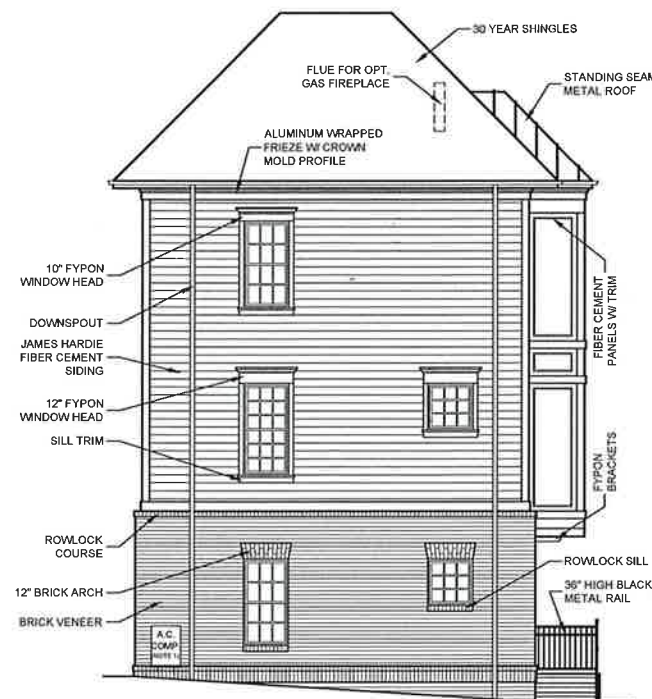
AT THE REGULARLY SCHEDULED MEETING OF THE PLANNING COMMISSION HELD ON July 25, 2012  
APPLICATION NO. AFP-12-017 WAS GRANTED  
AMENDMENT TO FINAL PLAN APPROVAL  
WITH No ( ) CONDITIONS. SEE S.D.A LETTER.  
DATE 8/15/12 BY J. Pruitt

**NOTE:** ANY REVISIONS TO SIGNED PLANS MUST BE REAPPROVED BY THE PLANNING COMMISSION

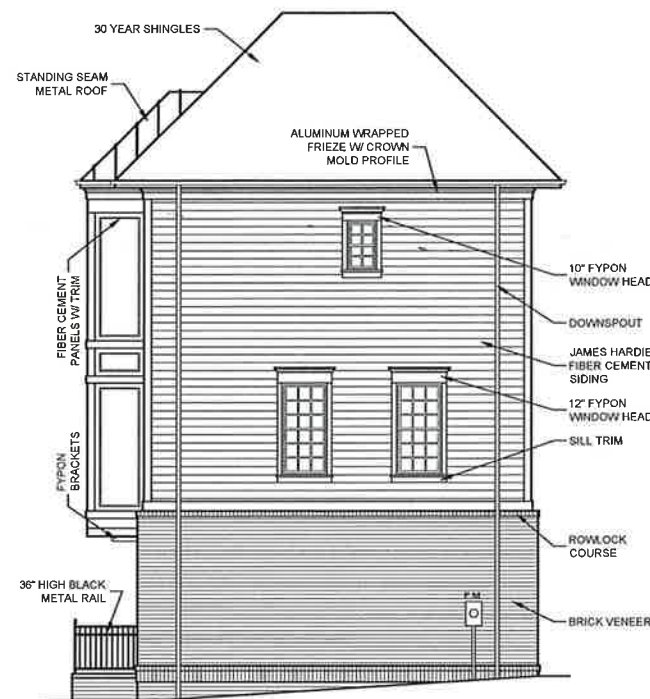
<b>CREASER/O'BRIEN</b> ARCHITECTS <sup>PC</sup> 1420 Q STREET, NW, SUITE 300 WASHINGTON DC 20009 PHONE: 202-289-9001	ELEVATION TYPE: <b>#1</b>	<b>PARKLANDS SINGLE FAMILY HOMES</b>  <b>CITY OF GAITHERSBURG, MARYLAND</b>	DATE: <b>7-11-12</b>	 8120 WOODMONT AVENUE SUITE 300 BETHESDA, MARYLAND 20814 (301) 913-0404 FAX: (301) 913-5482 www.classiccommunitycorp.com	LOT #:  <b>26E</b>
	COLOR SCHEME: <b>1 BRICK/ SIDING</b>		SCALE: <b>3/16" = 1'-0"</b>		
	MODEL: <b>MADISON</b>				



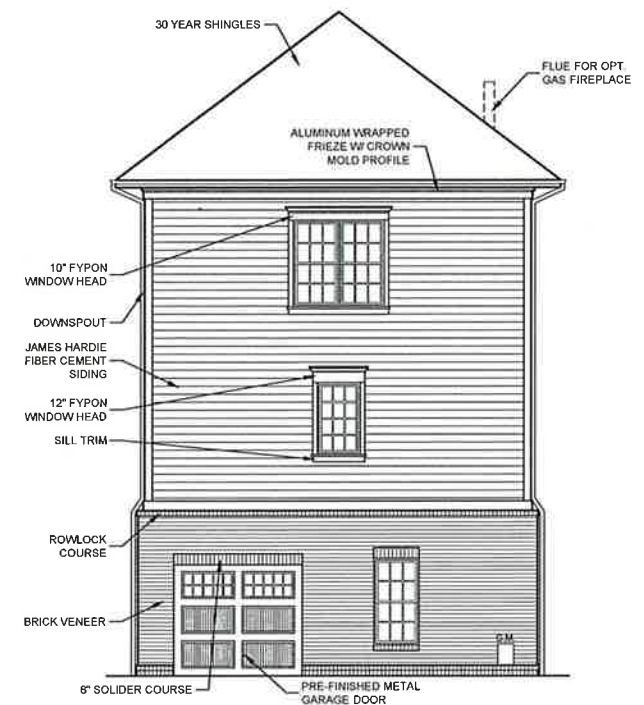
**FRONT ELEVATION**



**LEFT SIDE ELEVATION**  
HIGH VISIBILITY



**RIGHT SIDE ELEVATION**  
GARAGE



**REAR ELEVATION**

3 BRICK/ SIDING	
SHINGLES:	CHESTNUT
METAL ROOF:	BLACK
PRECAST:	N/A
BRICK:	EDMONTON
GARAGE DOOR:	ALMOND
SIDING:	KHAKI BROWN
TRIM/ GUTTER:	ISLAND PEARL
FRONT DOOR:	TUXEDO GREY
SHUTTERS:	TUXEDO GREY

NOTE 1: PROVIDE LANDSCAPE SCREEN AT A.C. COMPRESSOR

CITY OF GAITHERSBURG PLANNING COMMISSION  
31 SOUTH SUMMIT AVENUE, GAITHERSBURG, MARYLAND 20877

**SITE PLAN APPROVAL**

AT THE REGULARLY SCHEDULED MEETING OF THE PLANNING COMMISSION HELD ON July 25, 2012

APPLICATION NO. AFP-12-017 WAS GRANTED

**AMENDMENT TO FINAL PLAN APPROVAL**

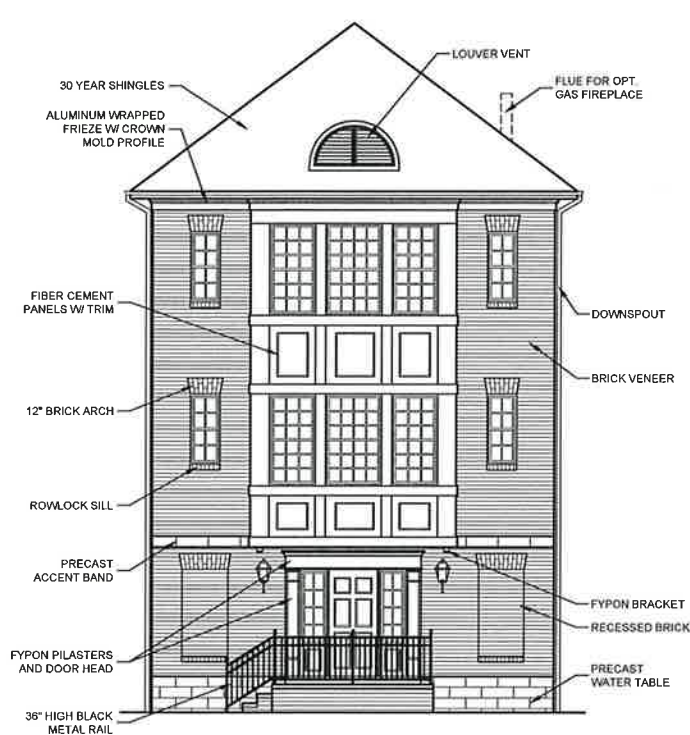
WITH NO ( ) CONDITIONS. SEE S.D.A LETTER.

DATE 8/15/12 BY J. Pruitt

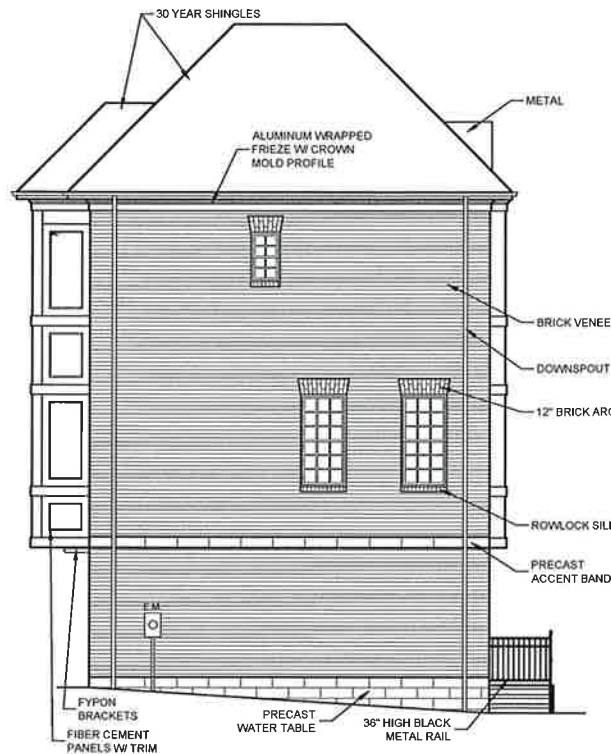
**NOTE:** ANY REVISIONS TO SIGNED PLANS MUST BE REAPPROVED BY THE PLANNING COMMISSION

<b>CREASER/O'BRIEN</b> ARCHITECTS <sup>PC</sup> 1420 Q STREET, NW, SUITE 300 WASHINGTON DC 20009 PHONE: 202-289-9001	ELEVATION TYPE:	<b>PARKLANDS SINGLE FAMILY HOMES</b>  <b>CITY OF GAITHERSBURG, MARYLAND</b>		DATE:	7-11-12	 8120 WOODMONT AVENUE SUITE 300 BETHESDA, MARYLAND 20814 (301) 913-0404 FAX: (301) 913-5482 www.classiccommunitycorp.com	LOT #:  <b>20G</b>
	COLOR SCHEME:			SCALE:			
	MODEL:			3/16" = 1'-0"			

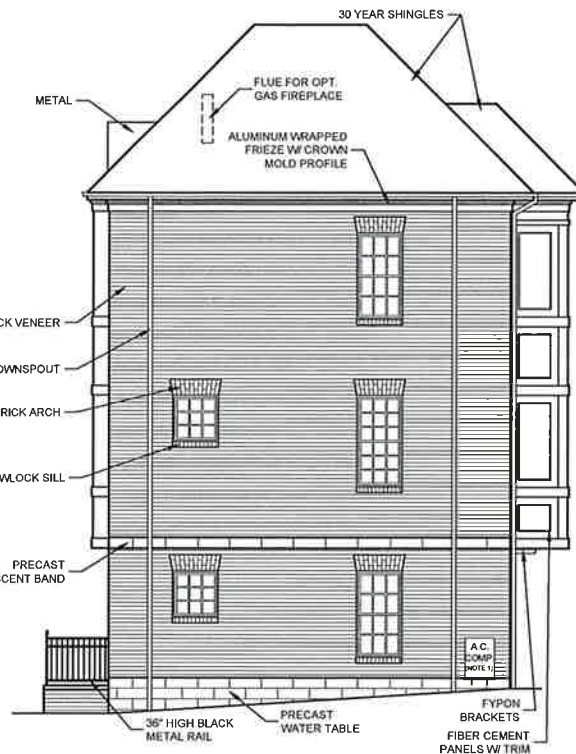




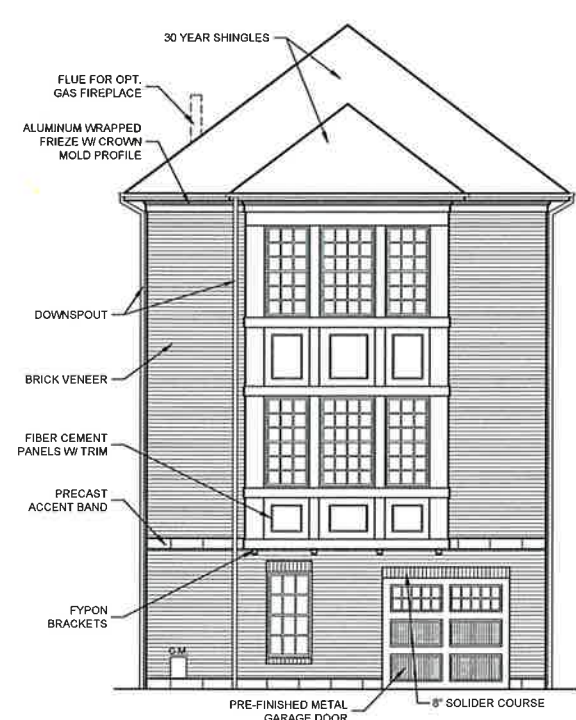
**FRONT ELEVATION**



**LEFT SIDE ELEVATION**



**RIGHT SIDE ELEVATION**



**REAR ELEVATION**

1 BRICK	
SHINGLES:	CHARCOAL
METAL ROOF:	BLACK
PRECAST:	SUEDE
BRICK:	SALEM CREEK
GARAGE DOOR:	ALMOND
SIDING:	N/A
TRIM/ GUTTER:	ISLAND PEARL
FRONT DOOR:	FOREST GREEN
SHUTTERS:	N/A

NOTE 1: PROVIDE LANDSCAPE SCREEN AT A.C. COMPRESSOR

CITY OF GAITHERSBURG PLANNING COMMISSION  
31 SOUTH SUMMIT AVENUE, GAITHERSBURG, MARYLAND 20877

**SITE PLAN APPROVAL**

AT THE REGULARLY SCHEDULED MEETING OF THE PLANNING COMMISSION HELD ON July 25, 2012

APPLICATION NO. AFP-12-817 WAS GRANTED

AMENDMENT TO FINAL PLAN APPROVAL.

WITH No ( 0 ) CONDITIONS. SEE S.D.A LETTER.

DATE 8/15/12 BY J. Brown

**NOTE:** ANY REVISIONS TO SIGNED PLANS MUST BE REAPPROVED BY THE PLANNING COMMISSION

<div>CREASER/O'BRIEN ARCHITECTS<sup>PC</sup></div> <div>1420 Q STREET, NW, SUITE 300 WASHINGTON DC 20009 PHONE: 202-289-9001</div>	ELEVATION TYPE: #3	PARKLANDS SINGLE FAMILY HOMES	DATE: 7-11-12	<div><div>8120 WOODMONT AVENUE SUITE 300 BETHESDA, MARYLAND 20814 (301) 913-0404 FAX: (301) 913-5482 www.classiccommunitycorp.com</div></div>	LOT #: 35M
	COLOR SCHEME: 1 BRICK		SCALE: 3/16" = 1'-0"		
	MODEL: HUDSON	CITY OF GAITHERSBURG, MARYLAND			



# LEED for New Construction v 2.2 Registered Project Checklist

Project Name: Watkins Mill Town Center Custom Lots

Project Address: See Attached Address List

Yes	?	No	<b>Project Totals (Pre-Certification Estimates)</b>				<b>69 Points</b>
<b>21</b>	<b>6</b>	<b>35</b>					
			<b>Certified:</b> 26-32 points	<b>Silver:</b> 33-38 points	<b>Gold:</b> 39-51 points	<b>Platinum:</b> 52-69 points	

Yes	?	No	<b>Sustainable Sites</b>				<b>14 Points</b>
<b>8</b>	<b>1</b>	<b>5</b>					

Yes			Prereq 1	<b>Construction Activity Pollution Prevention</b>	Required
<b>1</b>			Credit 1	<b>Site Selection</b>	1
<b>1</b>			Credit 2	<b>Development Density &amp; Community Connectivity</b>	1
		<b>1</b>	Credit 3	<b>Brownfield Redevelopment</b>	1
<b>1</b>			Credit 4.1	<b>Alternative Transportation</b> , Public Transportation	1
	<b>1</b>		Credit 4.2	<b>Alternative Transportation</b> , Bicycle Storage & Changing Rooms	1
		<b>1</b>	Credit 4.3	<b>Alternative Transportation</b> , Low-Emitting & Fuel Efficient Vehicles	1
		<b>1</b>	Credit 4.4	<b>Alternative Transportation</b> , Parking Capacity	1
<b>1</b>			Credit 5.1	<b>Site Development</b> , Protect or Restore Habitat	1
<b>1</b>			Credit 5.2	<b>Site Development</b> , Maximize Open Space	1
<b>1</b>			Credit 6.1	<b>Stormwater Design</b> , Quantity Control	1
<b>1</b>			Credit 6.2	<b>Stormwater Design</b> , Quality Control	1
		<b>1</b>	Credit 7.1	<b>Heat Island Effect</b> , Non-Roof	1
		<b>1</b>	Credit 7.2	<b>Heat Island Effect</b> , Roof	1
<b>1</b>			Credit 8	<b>Light Pollution Reduction</b>	1

Yes	?	No	<b>Water Efficiency</b>				<b>5 Points</b>
<b>2</b>		<b>3</b>					
<b>1</b>			Credit 1.1	<b>Water Efficient Landscaping</b> , Reduce by 50%		1	
<b>1</b>			Credit 1.2	<b>Water Efficient Landscaping</b> , No Potable Use or No Irrigation		1	
		<b>1</b>	Credit 2	<b>Innovative Wastewater Technologies</b>		1	
		<b>1</b>	Credit 3.1	<b>Water Use Reduction</b> , 20% Reduction		1	
		<b>1</b>	Credit 3.2	<b>Water Use Reduction</b> , 30% Reduction		1	





# LEED for New Construction v 2.2 Registered Project Checklist

Yes	?	No		
	3	7	<b>Energy &amp; Atmosphere</b>	<b>17 Points</b>

Yes	Prereq 1	<b>Fundamental Commissioning of the Building Energy Systems</b>	Required
Yes	Prereq 1	<b>Minimum Energy Performance</b>	Required
Yes	Prereq 1	<b>Fundamental Refrigerant Management</b>	Required

**\*Note for EAc1:** All LEED for New Construction projects registered after June 26, 2007 are required to achieve at least two (2) points.

	3		Credit 1	<b>Optimize Energy Performance</b>	1 to 10
			Credit 1.1	10.5% New Buildings / 3.5% Existing Building Renovations	1
			Credit 1.2	14% New Buildings / 7% Existing Building Renovations	2
			Credit 1.3	17.5% New Buildings / 10.5% Existing Building Renovations	3
			Credit 1.4	21% New Buildings / 14% Existing Building Renovations	4
			Credit 1.5	24.5% New Buildings / 17.5% Existing Building Renovations	5
			Credit 1.6	28% New Buildings / 21% Existing Building Renovations	6
			Credit 1.7	31.5% New Buildings / 24.5% Existing Building Renovations	7
			Credit 1.8	35% New Buildings / 28% Existing Building Renovations	8
			Credit 1.9	38.5% New Buildings / 31.5% Existing Building Renovations	9
			Credit 1.10	42% New Buildings / 35% Existing Building Renovations	10
		3	Credit 2	<b>On-Site Renewable Energy</b>	1 to 3
			Credit 2.1	2.5% Renewable Energy	1
			Credit 2.2	7.5% Renewable Energy	2
			Credit 2.3	12.5% Renewable Energy	3
		1	Credit 3	<b>Enhanced Commissioning</b>	1
		1	Credit 4	<b>Enhanced Refrigerant Management</b>	1
		1	Credit 5	<b>Measurement &amp; Verification</b>	1
		1	Credit 6	<b>Green Power</b>	1



# LEED for New Construction v 2.2 Registered Project Checklist

Yes	?	No		
1	1	11	<b>Materials &amp; Resources</b>	<b>13 Points</b>

Yes			Prereq 1	<b>Storage &amp; Collection of Recyclables</b>	Required
		1	Credit 1.1	<b>Building Reuse</b> , Maintain 75% of Existing Walls, Floors & Roof	1
		1	Credit 1.2	<b>Building Reuse</b> , Maintain 95% of Existing Walls, Floors & Roof	1
		1	Credit 1.3	<b>Building Reuse</b> , Maintain 50% of Interior Non-Structural Elements	1
		1	Credit 2.1	<b>Construction Waste Management</b> , Divert 50% from Disposal	1
		1	Credit 2.2	<b>Construction Waste Management</b> , Divert 75% from Disposal	1
		1	Credit 3.1	<b>Materials Reuse</b> , 5%	1
		1	Credit 3.2	<b>Materials Reuse</b> , 10%	1
		1	Credit 4.1	<b>Recycled Content</b> , 10% (post-consumer + 1/2 pre-consumer)	1
		1	Credit 4.2	<b>Recycled Content</b> , 20% (post-consumer + 1/2 pre-consumer)	1
1			Credit 5.1	<b>Regional Materials</b> , 10% Extracted, Processed & Manufactured	1
	1		Credit 5.2	<b>Regional Materials</b> , 20% Extracted, Processed & Manufactured	1
		1	Credit 6	<b>Rapidly Renewable Materials</b>	1
		1	Credit 7	<b>Certified Wood</b>	1

Yes	?	No		
9	1	5	<b>Indoor Environmental Quality</b>	<b>15 Points</b>

Yes			Prereq 1	<b>Minimum IAQ Performance</b>	Required
Yes			Prereq 2	<b>Environmental Tobacco Smoke (ETS) Control</b>	Required
		1	Credit 1	<b>Outdoor Air Delivery Monitoring</b>	1
	1		Credit 2	<b>Increased Ventilation</b>	1
1			Credit 3.1	<b>Construction IAQ Management Plan</b> , During Construction	1
1			Credit 3.2	<b>Construction IAQ Management Plan</b> , Before Occupancy	1
1			Credit 4.1	<b>Low-Emitting Materials</b> , Adhesives & Sealants	1
1			Credit 4.2	<b>Low-Emitting Materials</b> , Paints & Coatings	1
1			Credit 4.3	<b>Low-Emitting Materials</b> , Carpet Systems	1
1			Credit 4.4	<b>Low-Emitting Materials</b> , Composite Wood & Agrifiber Products	1
		1	Credit 5	<b>Indoor Chemical &amp; Pollutant Source Control</b>	1
1			Credit 6.1	<b>Controllability of Systems</b> , Lighting	1
1			Credit 6.2	<b>Controllability of Systems</b> , Thermal Comfort	1
1			Credit 7.1	<b>Thermal Comfort</b> , Design	1
		1	Credit 7.2	<b>Thermal Comfort</b> , Verification	1
		1	Credit 8.1	<b>Daylight &amp; Views</b> , Daylight 75% of Spaces	1
		1	Credit 8.2	<b>Daylight &amp; Views</b> , Views for 90% of Spaces	1



# LEED for New Construction v 2.2

## Registered Project Checklist

Yes	?	No		
1		4	Innovation & Design Process	5 Points
		1	Credit 1.1 <b>Innovation in Design:</b> Provide Specific Title	1
		1	Credit 1.2 <b>Innovation in Design:</b> Provide Specific Title	1
		1	Credit 1.3 <b>Innovation in Design:</b> Provide Specific Title	1
		1	Credit 1.4 <b>Innovation in Design:</b> Provide Specific Title	1
1			Credit 2 <b>LEED® Accredited Professional</b>	1

**NOTICE OF PLANNING COMMISSION MEETING**  
**\*WEDNESDAY, July 24, 2012 at 7:30 PM**  
**City Hall Council Chambers**  
**31 S. Summit Avenue, Gaithersburg MD 20877**

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You are receiving this postcard to inform you of a proposal for change within 200 feet of your property or you have expressed an interest in the subject plan(s).

<b>APPLICATION TYPE:</b>	Amendment to Final Plan
<b>FILE NUMBER:</b>	AFP-2855-2013
<b>LOCATION:</b>	116 Liriope Pl., 400 Blue Flax Pl., 401 Hydrangea Pl.
<b>PROPOSAL:</b>	Architecture for Custom Lots

For additional information, you may review the project file(s) at the Planning and Code Administration offices located at City Hall, 31 S. Summit Avenue, Gaithersburg Maryland between the hours of 8:00 am and 5:00 pm Monday through Friday. You may also refer to the City web site at [www.gaithersburgmd.gov](http://www.gaithersburgmd.gov) or contact us via telephone at 301-258-6330.

\*Subject to Change



owner_name_line_1	owner_name_line_2	owner_address_line_1	owner_address_line_2	owner_address_city	owner_address_state	owner_address_zip_code
MTG ACQUISITION LLC		C/O NVR	11700 PLAZA AMERICA DR STE 500	RESTON	VA	20190
PARK YONG M	PARK SUNYA J	118 PARKVIEW AV		GAITHERSBURG	MD	20866
LI YONGFU	LI LIJING	132 LIRIOPE PL		GAITHERSBURG	MD	20878
MO CHEFANG		379 PARKVIEW AVENUE		GAITHERSBURG	MD	20878
LAU YUNGSANG		122 PARKVIEW AVE		GAITHERSBURG	MD	20878
GUYER LINDSAY M		126 PARKVIEW AVE		GAITHERSBURG	MD	20878
DOUTHARD REGINE A	DOUTHARD ROSS S	376 PARKVIEW AVE		GAITHERSBURG	MD	20878
BAILEY THOMAS D 4TH	BAILEY ROSEMARIE S	370 URBAN AVE		GAITHERSBURG	MD	20878
PINCHEVSKY LYNSDY		10524 ROSEHAVEN ST APT 303		FAIRFAX	VA	22030
GREATHOUSE STEPHEN M	GREATHOUSE KRISTEN LEIGH	364 URBAN AVE		GAITHERSBURG	MD	20878
TSAI WEI-CHENG	TSAI HSIU-LI	368 URBAN AVENUE		GAITHERSBURG	MD	20878
SPIRER KATHY J	SPIRER ALEX J	358 URBAN AVE		GAITHERSBURG	MD	20878
TAYLOR KAMIA S		362 URBAN AVE		GAITHERSBURG	MD	20878
LIN HUEILIN YAO REV TRUST	LIN CHUN LIANG REV TRUST	9131 WILLOW GATE LN		BETHESDA	MD	20817
WU SHOUYI	CHEN JINGJING	374 URBAN AVE		GAITHERSBURG	MD	20878
GUPTILL VIRGINIA A		354 URBAN AVE		GAITHERSBURG	MD	20878
PARK JUNG E		360 URBAN AVE		GAITHERSBURG	MD	20878
STEGALL ROGER L	STEGALL SHARON BROWN	366 URBAN AVE		GAITHERSBURG	MD	20878
SWERS RONALD TRUSTEE OF THE	SWERS RONALD REV TR	372 URBAN AVE		GAITHERSBURG	MD	20878
LEE JASON	WU PING-HSIANG BELLE	423 PARKVIEW AVE		GAITHERSBURG	MD	20866
LU QING	ZHANG WEI	363 PARKVIEW AV		GAITHERSBERG	MD	20866
LI MINNA	CHEN YANFEI	138 PARKVIEW AVE		GAITHERSBURG	MD	20878
RODRIGUEZ EDGAR		136 LIRIOPE PL		GAITHERSBURG	MD	20866
HUANG ZEQU	HUANG GUIPING	403 PARKVIEW AVE		GAITHERSBURG	MD	20866
LA FLEUR BYRON A		343 COMMUNITY CENTER AVE		GAITHESBURG	MD	20878
JENSEN MICHAEL J	HOYOS ALEJANDRA	349 COMMUNITY CENTER AVE		GAITHESBURG	MD	20878
KIM KWANG	KIM YOON YOUNG	361 COMMUNITY CENTER AVE		GAITHERSBURG	MD	20878
PANDEY SANJAY K	BHARGAVA NANDITA	355 COMMUNITY CENTER AVE		GAITHESBURG	MD	20878
TU HONGYING		353 COMMUNITY CENTER AVE		GAITHERSBURG	MD	20878
TRAN KIM LOAN T		359 COMMUNITY CENTER AVE		GAITHERSBURG	MD	20878
PAI PRATYAKSH V	PAI VIDYA	347 COMMUNITY CENTER AVE		GAITHESBURG	MD	20878
KAHN ALEKSEY	KAHN EKATERINA	351 COMMUNITY CENTER WAY		GAITHESBURG	MD	20878
SUN ZHOUMING &	GAO CHENGMEI	345 COMMUNITY CENTER AVE		GAITHERSBURG	MD	20878
SILVERMAN ADAM E	KAY LAUREN S	357 COMMUNITY CENTER AVE		GAITHESBURG	MD	20878
SUH ANDREW J	KIM JOANNE M	341 COMMUNITY CENTER AVE		GAITHERSBURG	MD	20878
DAI KAIFAN	ZHAO XUELIAN	363 COMMUNITY CENTER AVE		GAITHERSBURG	MD	20878
AMIN NADEEM	AMIN RUBINA B	130 PARKVIEW AVE		GAITHERSBURG	MD	20866
NAGARKATTI RANA	JANI DEWAL	442 PARKVIEW AV		GAITHERSBURG	MD	20878
GALUSTYAN ARMEN S		430 PARKVIEW AV		GAITHERSBURG	MD	20878
THIAM PAPA DEMBA	MUMBA THIAM NENEA FLORENCE	424 PARKVIEW AVE UNIT #424		GAITHERSBURG	MD	20878
VADKERTY VLADIMIR	VADKERTY MADELINE S	428 PARKVIEW AVE UNIT #428		GAITHERSBURG	MD	20878
MODARRES SHERMIN H	BOZORGMEHI-FARD MASTOUREH	434 PARKVIEW AVE UNIT #434		GAITHERSBURG	MD	20878
BORAGNO CHRISTOPHER R	BORAGNO DIANE D	440 PARKVIEW AVE UNIT #440		GAITHERSBURG	MD	20878
MALHOTRA PANKAJ	MALHOTRA POOJA	438 PARKVIEW AVE UNIT #438		GAITHERSBURG	MD	20878
PERRY MARION J.H.		432 PARKVIEW AVE UNIT #432		GAITHERSBURG	MD	20878
KIM SUNG		426 PARKVIEW AVE		GAITHERSBURG	MD	20878
HU ZHANGZHI	ZHUANG LI	360 PARKVIEW AVE		GAITHERSBURG	MD	20866
BP REALTY INVESTMENTS LLC		10000 FALLS RD STE 100		POTOMAC	MD	20854
Alan Rosen	President	17017 Sioux Lane		Gaithersburg	MD	20878
Andrea Liacouras	President	105 Twelve Oaks Court		Gaithersburg	MD	20877
April Day	Community Association Services, Inc.	18401 Woodfield Road, Suite H		Gaithersburg	MD	20879
Brian Weiblinger	President	147 Apple Blossom Way		Gaithersburg	MD	20878

Bruce Blumberg	Abaris Realty, Inc.	12009 Nebel Street	Rockville	MD	20852
Carla Johnson	Bennington	29 Goodport Lane	Gaithersburg	Maryland	20878
Carrie Mathis	Quantum	5101 River Road, Suite 101	Rockville	Maryland	20816
Cheryl Berger	Assn. Bookkeeping Svcs. Inc.	849-F Quince Orchard Boulevard	Gaithersburg	MD	20878
Chris Froehlich	Community Mngmnt. Corp.	11300 Rockville Pike #907	Rockville	MD	20852
Claude Lumpkins	Vista Management	1131 University Blvd West Suite 101	Silver Spring	MD	20902
Craig Chung	The Management Group	20440 Century Boulevard, Suite 100	Germantown	Maryland	20874
Dale Roan	Main Street Prop Managmt. Inc.	9 Park Avenue	Gaithersburg	MD	20877
David Sapoznick	Summit Managemt Svcs, Inc. AAMC	3833 Farragut Avenue	Kensington	MD	20895
David Studley	President	716 Beacon Hill Terrace	Gaithersburg	MD	20878
Elaine Ziemke	The Management Group	20440 Century Boulevard, Suite 100	Germantown	Maryland	20874
Eric Cooper	Property Management People	955-A Russell Avenue	Gaithersburg	Maryland	20879
Frances Winter	President	2 Glazebrook Court	Gaithersburg	MD	20878
Glenn Loveland	Abaris Realty, Inc.	12009 Nebel Street	Rockville	MD	20852
Guisela Deering	The Simmons Managmt. Grp. Inc.	8911 60th Avenue, 2nd Floor	College Park	MD	20740
Hank Jacob	Allied Realty	7605 Arlington Road	Bethesda	MD	20814
Ibrahim Dukuly	Lighthouse Prop Managmt LTD	P.O. Box 5379	Takoma Park	MD	20913
Jackie Shaw	Vice President	5 Antioch Road	Gaithersburg	MD	20878
Jeff Kivitz	Main Street Property Managmt. Inc.	9 Park Avenue	Gaithersburg	MD	20877
Jesse James	Allied Realty	7605 Arlington Road	Bethesda	MD	20814
Jessica Cummings	IKO Real Estate, Inc.	3416 Olandwood Court, Suite 210	Olney	MD	20832
JoAnn Schimke	President	734 Tiffany Court	Gaithersburg	MD	20878
Jon May	President	8940 Edgewood Drive	Gaithersburg	Maryland	20877
Katrina Barrett	ComSource Management, Inc.	3414 Morningwood Drive	Olney	MD	20832
Kevin Kapp	Vista Management	1131 University Blvd West Suite 101	Silver Spring	MD	20902
Kim Lee	Villa Ridge Condo Assn.	414 Girard Street	Gaithersburg	MD	20877
Lisa Franklin	PROCAM	14904 New Hampshire Avenue	Silver Spring	Maryland	20905
Lori Cohen	Armstrong Management Services	3949 Pender Drive #205	Fairfax	Virginia	22030
Matt Snyder	ComSource Management, Inc.	3414 Morningwood Drive	Olney	MD	20832
Mayea Henderson	Community Management Corp.	11300 Rockville Pike #907	Rockville	MD	20852
Michael Eckloff	ComSource Management, Inc.	3414 Morningwood Drive	Olney	Maryland	20832
Michael LaPrade	ComSource Management, Inc.	3414 Morningwood Drive	Olney	MD	20832
Michele Kennedy	ComSource Management, Inc.	3414 Morningwood Drive	Olney	MD	20832
Mike Potter	M.T.M Management Associates	26223 Ridge Road	Damascus	MD	20872
Nancy Goglio	President	905 Wild Forest Drive	Gaithersburg	Maryland	20879
Patty Floyd	Paul Associates, Inc.	6935 Wisconsin Avenue Suite 400	Chevy Chase	MD	20815
Peggy Toland	Community Association, Inc.	15742 Crabbs Branch Way	Derwood	MD	20855
Peyton Harris	Capital Management	12011 Lee Jackson Highway #350	Fairfax	VA	22033
Ralph Caudle	IKO Real Estate, Inc.	3416 Olandwood Court, Suite 210	Olney	MD	20832
Randy Fox	Kentlands Citizen Assembly, Inc.	485 Tschiffely Square Road	Gaithersburg	Maryland	20878
Richard Skobel	Main Street Property Managemt. Inc.	9 Park Avenue	Gaithersburg	MD	20877
Robert Fogel	Abaris Realty, Inc.	12009 Nebel Street	Rockville	MD	20852
Ruchita Patel	The Management Group	20440 Century Boulevard, Suite 100	Germantown	Maryland	20874
Sandra Ewing	Vanguard Management Associates	PO Box 39	Germantown	MD	20875
Shireen Ambush	Abaris Realty, Inc.	12009 Nebel Street	Rockville	MD	20852
Steve Leskowitz	The Management Group	20440 Century Boulevard, Suite 100	Germantown	Maryland	20874
Tom Armstrong	President	108 Longdraft Road	Gaithersburg	Maryland	20878

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## STAFF COMMENTS FOR PLANNING COMMISSION

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**MEETING DATE:** July 24, 2013

**SITE PLAN:** **AFP-11-020**

**TITLE:** The Vistas at Quince Orchard Park

**REQUEST:** **DISCUSSION ITEM - COMPLIANCE WITH  
CONDITION OF APPROVAL**

**ADDRESS:** **Northwest Intersection of Winter Walk  
and Orchard Ridge Drive**

**ZONE:** MXD (Mixed Use Development)

**Applicant:** Bill Wogatske, Churchill Development Corporation

**STAFF:** Caroline Seiden, Planner

**Enclosures:**

Staff Comments

- Exhibit 1: Location Map
- Exhibit 2: Applicant's Letter dated June 13, 2013
- Exhibit 3: Site Development Approval for AFP-11-020
- Exhibit 4: Amenity Phasing Plan
- Exhibit 5: Site Development Status
- Exhibit 6: July 20, 2011 Planning Commission Minutes

## **STAFF COMMENTS**

### **I. BACKGROUND:**

On May 7, 2008, the Planning Commission granted final site plan approval for The Vistas of Quince Orchard Park. The plan includes a total of 83 dwelling units. Unit types include 13 single family detached houses, 38 townhouses, and 32 multi-family (two over two) condominium units. The plan incorporates active and passive recreation features. On July 20, 2011, the Planning Commission granted an amendment to final site plan in order to modify the timing of construction for the amenities. Conditions of AFP-11-020 are:

1. Amenity package A (gazebo, tot lot 1, tot lot 2, and pocket park at Winter Walk and Orchard Ridge Drives) to be completed prior to the issuance of the 52<sup>nd</sup> permit. Amenity package B (tennis court, picnic pavilion, etc.) to be completed prior to the issuance of the 72<sup>nd</sup> building permit. Amenity package C (art plaza) to be completed in conjunction with the adjoining buildings (Lots 125-130 and Lots 131-136)
2. The applicant is to complete the Art in Public Places (AIPP) commitment prior to the release of site development bonds.
3. All required amenities shall be completed by July 20, 2013, or the applicant shall return to the Planning Commission.

### **II. SCOPE OF REVIEW:**

In compliance with Condition #3, the applicant is returning to the Planning Commission to provide an update on its development progress. The applicant has submitted a letter (Exhibit #2) outlining the progress that has been made on the development to date.

### **III. SITE PLAN ANALYSIS AND FINDINGS:**

Staff is providing the following comments and findings for Planning Commission consideration:

#### **Open Space and Amenity Overview**

The approved site plan features two "greens" that provide open space for the community. The green south of Autumn View Drive serves as a "backyard" for the townhouses, condominiums and single-family homes surrounding it. It is accessible from the alleys of these homes and includes two tot-lots for two different age groups, benches and a series of informal pedestrian paths that connect the green to other parts of the site. The more formal of the two greens is to the north of

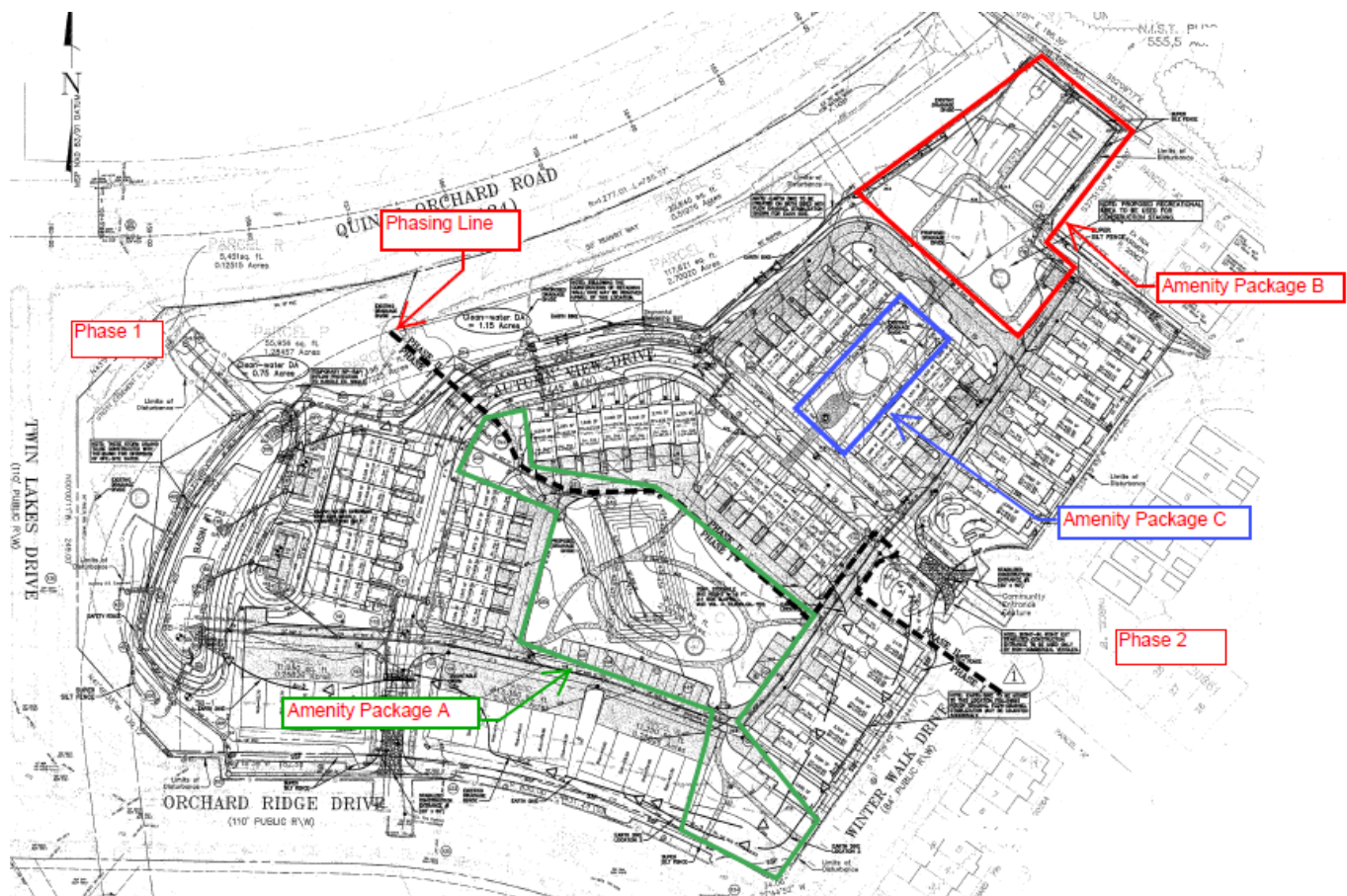


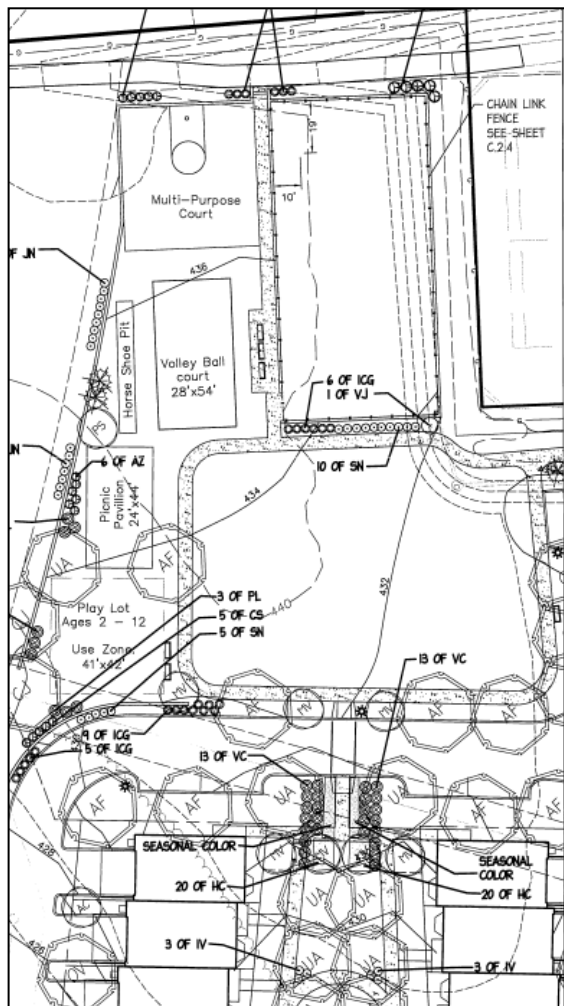
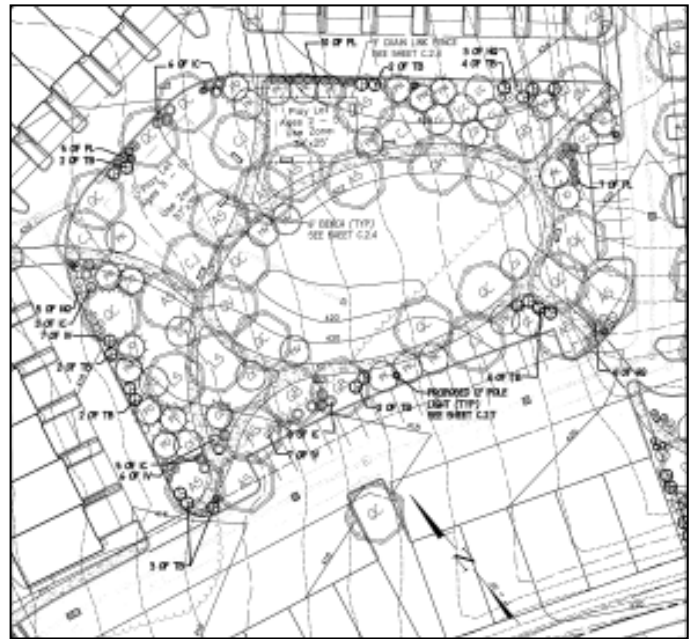
Autumn View Drive and serves as the front door to the surrounding 12 townhouses. This green has a more formal path system, providing a pedestrian connection to the active recreation area on the northern end of the development and a location for art in public places.

In addition to the two greens, the plan includes an active recreation area to include a tennis court, volleyball court, multi-purpose court, horseshoes pit and a ½ acre open area, designed for informal recreation. A third playground, a gazebo, a picnic shelter and public art are also scattered throughout the site, providing a range of community gathering spaces.

## Timing of Amenities

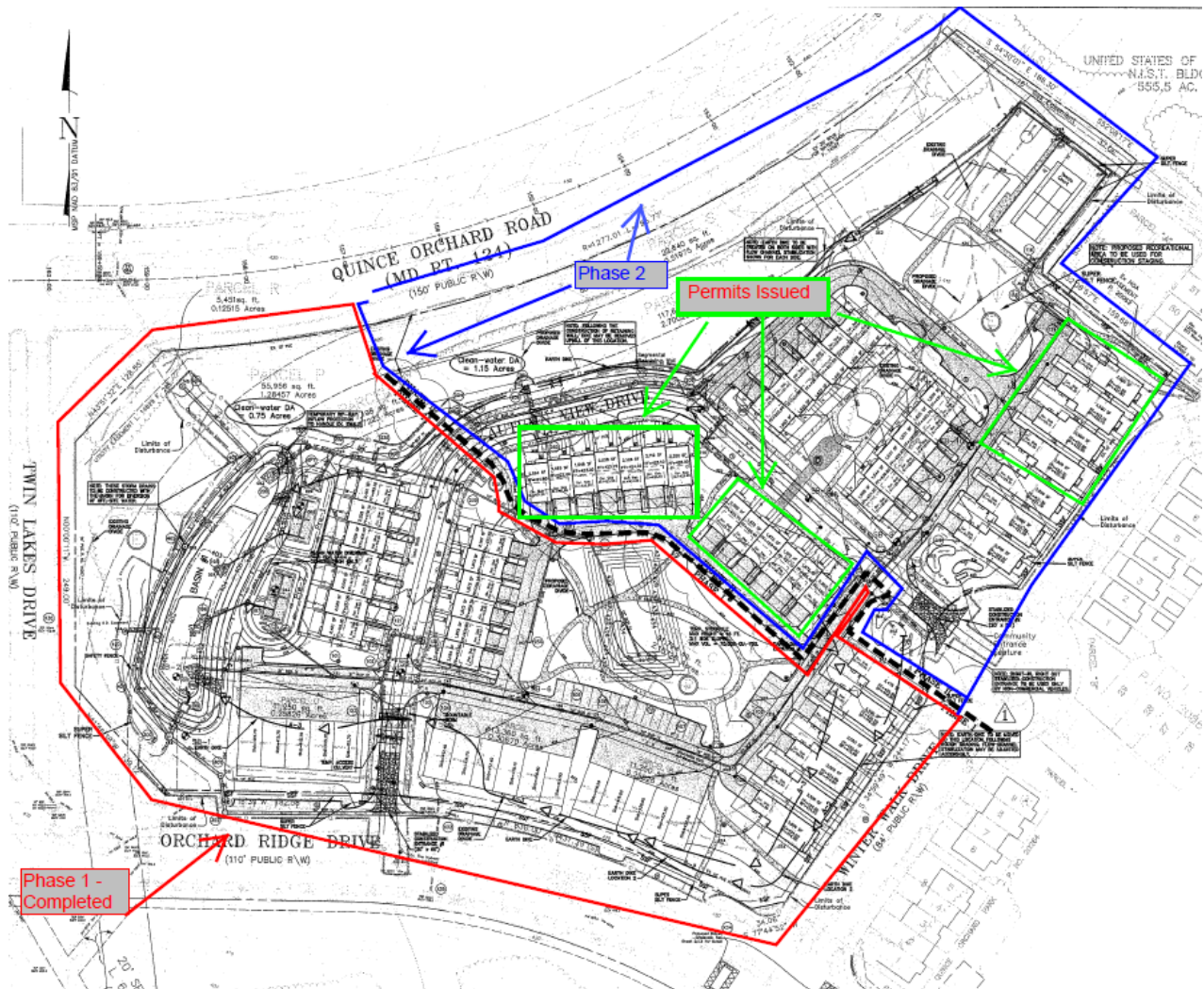
The Planning Commission approved the applicant's request to change the required timing for installation of community amenities (Exhibits #3 and #6). Originally, the applicant had planned to construct the development in one phase. At some point prior to site development, the applicant modified their construction plans to complete the construction of the site in two phases as shown below.





The remaining recreational amenities in Phase 2 include a playground for 2 -12 year olds, tennis court, multi-purpose court, pavilion, volleyball court and horseshoe pit (left). The applicant must complete these improvements prior to issuance of the 72<sup>nd</sup> building permit. Further, the "art plaza", or amenity package C must be completed in conjunction with the adjoining buildings (Lots 125-130 and Lots 131-136).

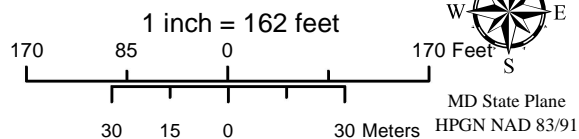
At this current time, building permits for 13 townhouses and 4 single family detached units have been issued for Phase 2, bringing the total number of building permits issued to 68. Three additional building permits may be issued prior to the completion of Amenity Package B. According to the applicant, Amenity Package B is to be completed within the next few weeks (Exhibit #2). The applicant expects the tennis court, multi-purpose court and playground to be completed by the third week of July. The City has issued a permit for the Picnic Pavilion and the applicant expects it to be completed in August as which time the volleyball and horseshoe pit will be installed.



#### IV. CONCLUSION

Despite the fact that the entire Vistas community has not been completed by July 20, 2013, staff is confident that the development is near completion and in compliance with all conditions of approval. Staff does not recommend any additional action by the Planning Commission.





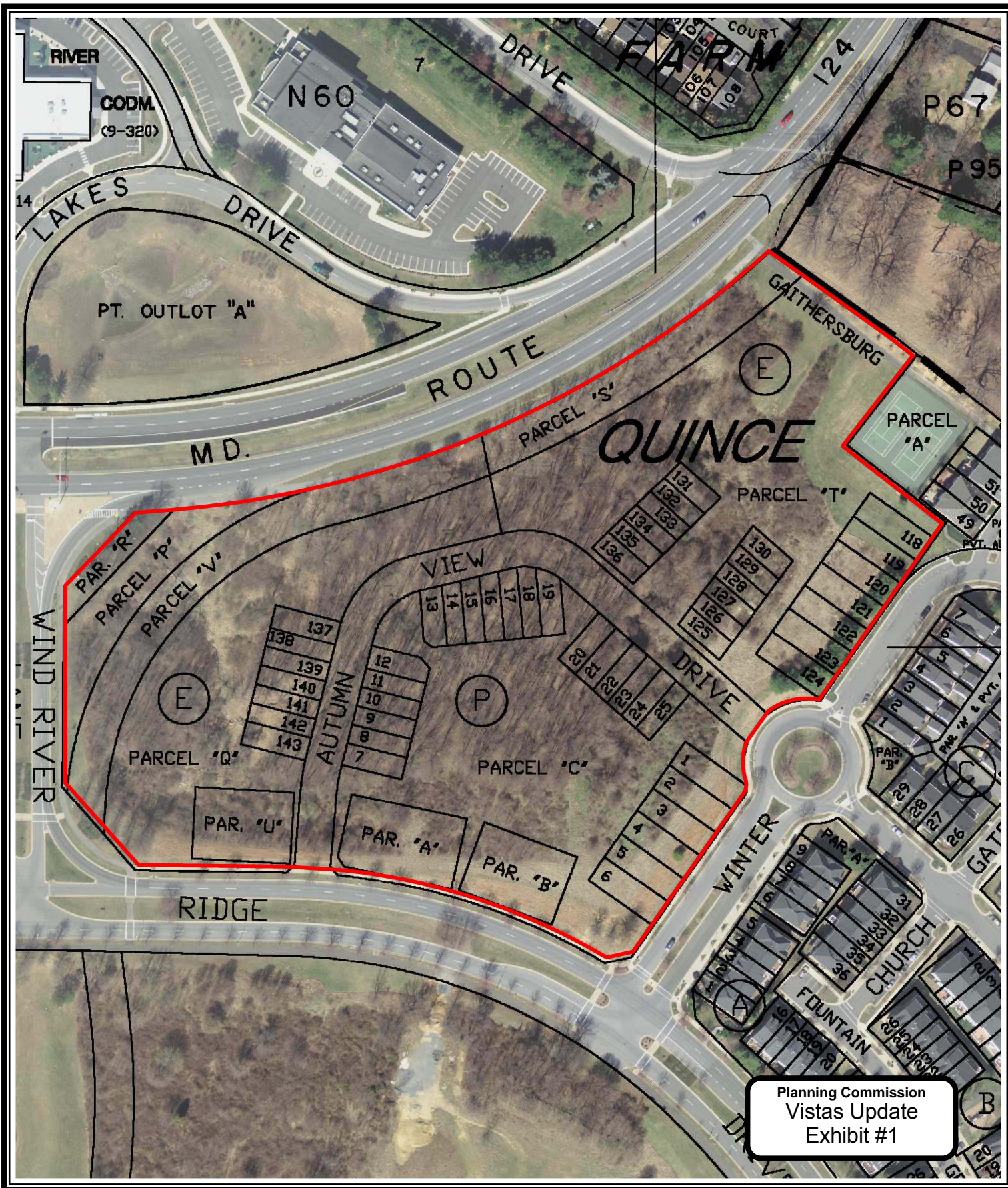
Aerial orthophoto is courtesy of the USGS National Map program.  
<http://nationalmap.gov/> Property boundaries and planimetric base  
 map ©2011 M-NCPPC and City of Gaithersburg. All rights reserved.  
 Aerial photo acquired March 2008.



The City of Gaithersburg makes no warranty, express or implied, for the completeness and accuracy of the information depicted on this map. This map may not be reproduced, in whole or in part, without the express written permission of the City of Gaithersburg and other referenced parties.

**City of Gaithersburg  
Planning and Code Admin  
31 S Summit Ave  
Gaithersburg, MD 20877  
(301) 258-6330  
[www.gaithersburgmd.gov](http://www.gaithersburgmd.gov)**

AFP-11-020.mxd • 06-Jul-2011 • wt







## CHURCHILL GROUP

A HOMETOWN TRADITION

June 13, 2013

City of Gaithersburg  
31 South Summit Ave.  
Gaithersburg, MD 20877-2098  
Attention: Ms. Caroline H. Seiden

Re: The Vistas

Dear Caroline:

In July 2011 Churchill requested changes and clarifications to the Vistas plan approval in regards to the timing and coordination of the installation of the project amenities. That request was approved with the condition that if all required amenities were not completed by July 20, 2013 the applicant would return to the Planning Commission for further review.

The Applicant hereby requests that staff waive or postpone that requirement at this time or schedule a meeting with the Planning Commission for further review as stated in the Site Development Approval.

The basis for our request is quite simply based upon the national recession and the effects it has had on sales and construction. Since the July 2011 meeting the project has gone more than one year with only one settlement. I will briefly summarize the events of the past two years as they pertain to the Vistas Project for your consideration.

1. July 20, 2011, Phase II of the project has not started  
Phase I sales are at a standstill, housing market in recession
2. August 1, 2011 through Dec. 31, 2011  
Phase II of the project has not started  
Phase I has no sales or settlements of towns or single Families, entry level Condos are, however, being sold (Note, Churchill at this time is selling the condo lots to Craftstar but retains the rest of the project)
3. January 1, 2012 through March 30, 2012  
Phase II of the project still not started

Phase I has no sales or settlements  
Housing market remains in recession

4. April 1, 2012 through June 31, 2012  
Phase II of the project still not started  
Phase I has one settlement
5. July 31, 2012 through December 31, 2012  
The decision is made to start Phase II, anticipating 2013  
spring will bring a better market  
Phase I has one settlement
6. January 1, 2013 through March 31, 2013  
Phase II is paved  
Phase I has no settlements  
Most Builders perceive a change in the local housing  
market.
7. April 1, 2013 through June 13, 2013  
Phase II Townhouse and Single Family construction has  
started. K Hovnanian agrees to use our plans to build the  
remaining townhouses.  
Phase I has three settlements and sells out remaining  
unsold units.

As of today the Phase II Single families and Towns are selling well. Settlements are projected to start in August (possibly late July) 2013 and continue through the first quarter of 2014. In regards to the Amenity Packages; Package A has been completed; Package B has been started with the retaining walls and grading complete. The Package B playground is anticipated to be completed by the first week of July, the tennis and sport court by the third week of July. The picnic pavilion is scheduled to be completed in August; once it is complete the volleyball and horseshoe pit will be installed.

We project Amenity Package C will be completed with the last two townhouse buildings in the first quarter of 2014, or sooner if sales remain strong.

Thank you for your continuing effort. Please feel free to contact me if I have left anything out or can provide additional information.

Sincerely,



William J. Wogatske  
Vice President Land Acquisition and Development

---

## SITE DEVELOPMENT APPROVAL

**Applicant:**

CHURCHILL DEVELOPMENT CORP  
5 CHOKE CHERRY ROAD SUITE360  
ROCKVILLE MD  
20850 20850

**Project:**

**Site Plan:** AFP-11-020  
**Proj Name:** Vistas at Quince Orchard Park  
**Lot\Block:**  
**Address:**  
**Action:** Planning Commission Approval

**Description:** Change required condition for installation of amenities

Dear Applicant:

The City of Gaithersburg Planning Commission, at their **July 20, 2011** meeting, reviewed and approved your application, finding the plan in conformance with Zoning Ordinance Sec. 24-170 and/or Sec.24-172A.

**All permits required by the Ordinance of the City of Gaithersburg may now be applied for at the Planning and Code Administration at City Hall, 31 South Summit Avenue. See procedure described on the reverse side of this form.**

This approval is issued subject to all contingencies enumerated on the reverse side of this form. Additional requirements of this approval are listed below:

1: Amenity package A (gazebo, tot lot 1, tot lot 2, and pocket park at Winter Walk and Orchard Ridge Drives) to be completed prior to the issuance of the 52nd permit. Amenity package B (tennis court, picnic pavillion, etc.) to be completed prior to the issuance of the 72nd building permit. Amenity package C (art plaza) to be completed in conjunction with the adjoining buildings (Lots 125-130 and Lots 131-136).

2: The applicant is to complete the Art in Public Places (AIPP) commitment prior to the release of site development bonds.

3: All required amenities shall be completed by July 20, 2013, or the applicant shall return to the Planning Commission for further review.

Date: July 21, 2011 Planner: \_\_\_\_\_

  
Lauren Pruss

### CONTINGENCIES OF ISSUANCE:

1. Conditions may be attached to the S.D.A. (Site Development Approval) as deemed reasonable and necessary to assure that the proposed use will be consistent with the purpose and intent of the Zoning Ordinance of the City of Gaithersburg.
2. **Note:** Deviation from the plans (including elevations) so approved shall **not be permitted** without reapproval of the Planning Commission. Any such deviation without prior approval shall constitute a violation of the City's Zoning Ordinance.
3. Construction or operation shall commence within two years of the date of the original approval by the Planning Commission; if not, a new final approval becomes necessary if extension request has not been filed with the Planning staff of the Planning and Code Administration. No permits shall be issued without S.D.A. approval (see below).
4. The staff shall not be empowered to waive dedication of right-of-way and easements required by the General Plan or Master Plans for particular planning areas.
5. Issuance of S.D.A. shall not constitute the right to occupy the property; only a subsequent Occupancy Permit and Inspection Approval issued by the Permits and Inspections staff of the Planning and Code Administration can do this.
6. Issuance of the S.D.A. by the City of Gaithersburg shall not relieve the applicant of the responsibility to comply with any additional City requirements, or those of other governmental jurisdictions.

### BUILDING PERMIT PROCESS:

**The following procedure must be followed by an applicant with respect to obtaining a building permit for a site which has received *final* approval from the City of Gaithersburg's Planning Commission:**

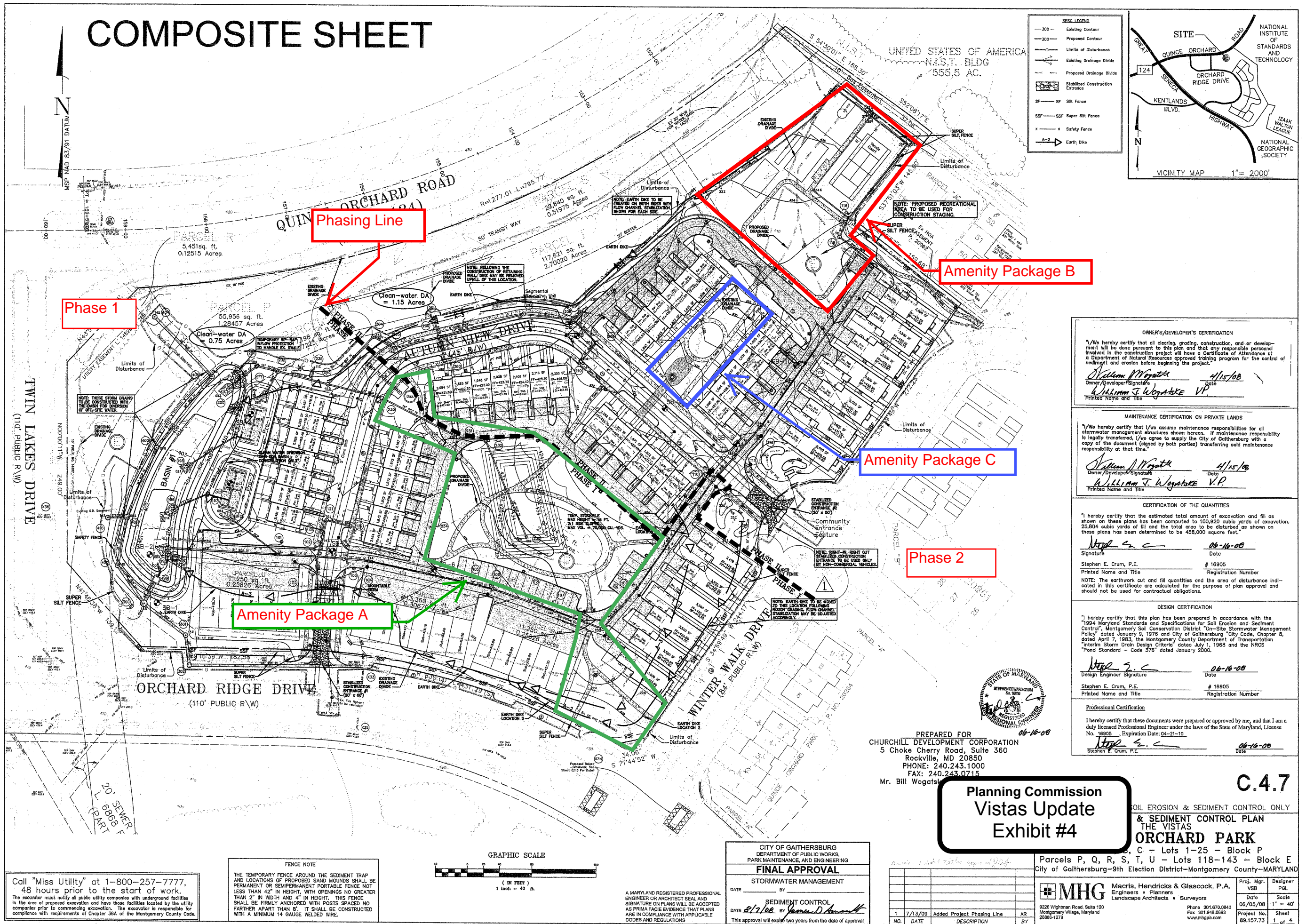
1. Applicant receives **S.D.A.** (Site Development Approval) form with conditions from Planning and Code Administration immediately following approval of plan by the Planning Commission.
2. To begin permit process, applicant must submit a full package of **original plans and one paper print package** (including but not limited to site plan, landscape plan, storm/paving plans, forest conservation plan (FCP), sediment control plans, storm water management plans and architectural elevations as applicable) to the Director of Public Works for his/her signature. When package is signed, Public Works will notify applicant to pick-up original plans. The paper print package is retained by the Director of Public Works.
3. The applicant must submit a full paper print package and the original plans package as defined above to the Planner, who will then sign the **original site plan, landscape plan, forest conservation plan, and building elevation only**; however, the entire package of originals will remain together. When signature of Planner has been affixed, Planning and Code Administration staff will notify applicant to pick-up entire signed original plan package. The paper print package is retained by the Planning and Code Administration.
4. When applying for: a **sediment control, grading** and/or **sitework permit**, applicant submits four (4) complete sets of paper prints of the signed plans and a copy of the S.D.A. to Permits and Inspections staff of the Planning and Code Administration.
5. When applying for a **building permit**, applicant submits a copy of site plan and three (3) full sets of Maryland Architect stamped construction/design plans and a copy of stamped and Planning Commission approved building facade elevation and a copy of the S.D.A., in addition to other items required on the Building Permit Application.

**A historic area work permit** is required for alterations to public or private property containing a historic resource. No work can be undertaken prior to issuance of a Certificate of Approval by the Historic District Commission.

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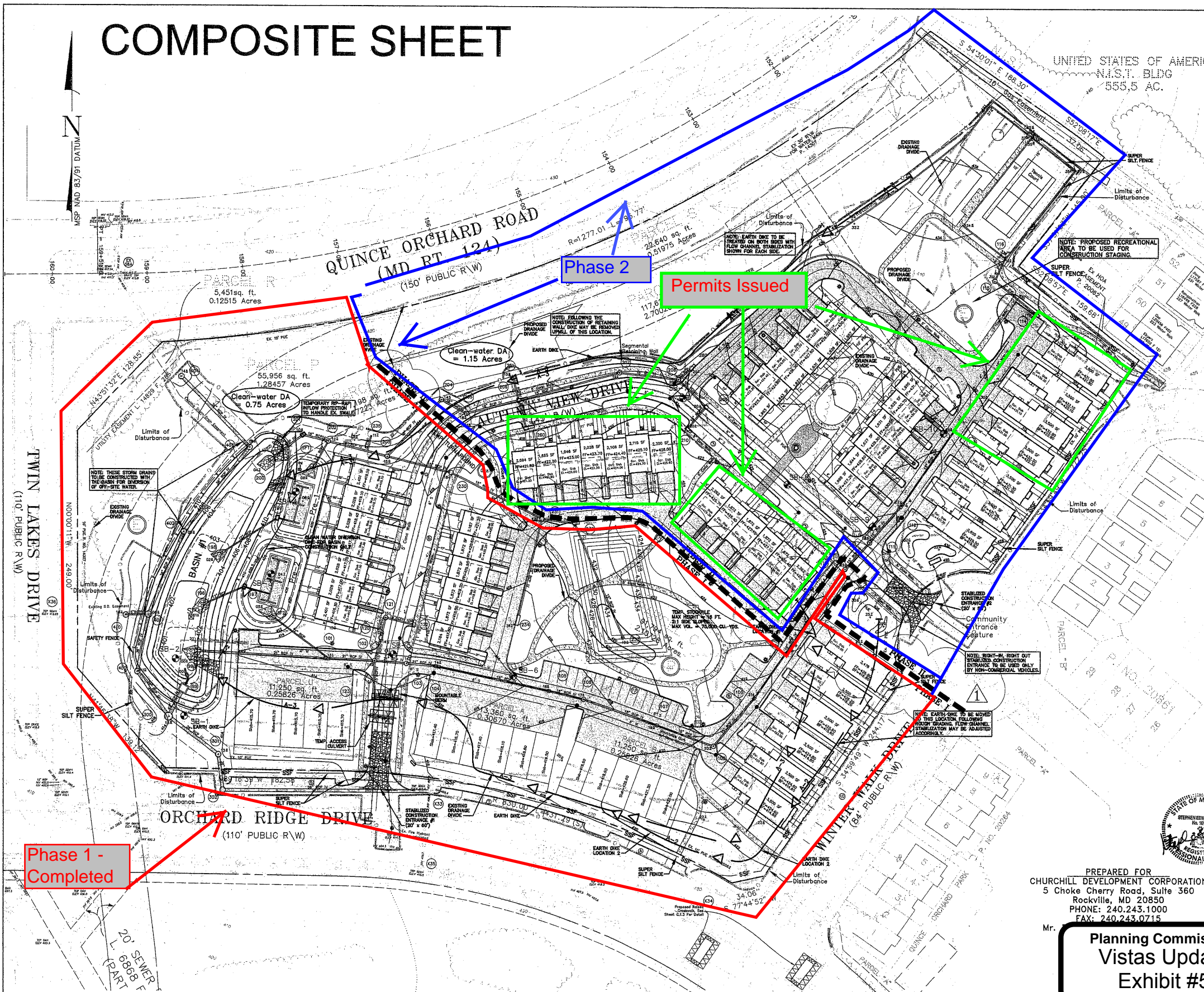
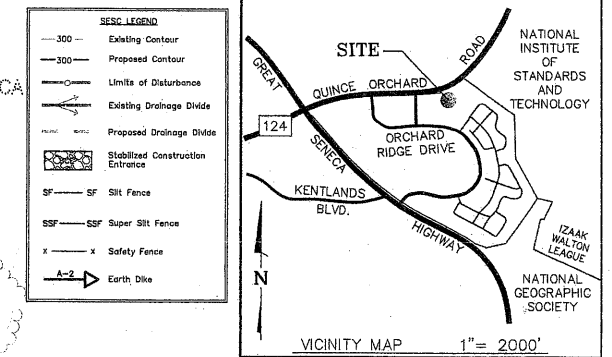


# COMPOSITE SHEET





# COMPOSITE SHEET



OWNER'S/DEVELOPER'S CERTIFICATION

"I/We hereby certify that all clearing, grading, construction, and/or development will be done pursuant to this plan and that any responsible personnel involved in the construction project will have a Certificate of Attendance at a Department of Natural Resources approved training program for the control of sediment and erosion before beginning the project."

Owner/Developer Signature William J. Wogatzke Date 4/15/08  
Printed Name and Title William J. Wogatzke VP.

## MAINTENANCE CERTIFICATION ON PRIVATE LANDS

"I/We hereby certify that I/we assume maintenance responsibilities for all stormwater management structures shown hereon. If maintenance responsibility is legally transferred, I/we agree to supply the City of Gaithersburg with a copy of the document (signed by both parties) transferring said maintenance responsibility at that time."

Owner/Developer Signature William J. Wogatake Date 4/15/04  
Printed Name and Title William J. Wogatake V.P.

CERTIFICATION OF THE QUANTITIES

"I hereby certify that the estimated total amount of excavation and fill as shown on these plans has been computed to 100,920 cubic yards of excavation, 25,804 cubic yards of fill and the total area to be disturbed as shown on these plans has been determined to be 458,000 square feet."

Signature W. S. C. Date 06-16-00

Stephen E. Crum, P.E.	# 16905
Printed Name and Title	Registration Number

NOTE: The earthwork cut and fill quantities and the area of disturbance indicated in this certificate are calculated for the purpose of plan approval and should not be used for contractual obligations.

## DESIGN CERTIFICATION

I hereby certify that this plan has been prepared in accordance with the "1994 Maryland Standards and Specifications for Soil Erosion and Sediment Control", Montgomery Soil Conservation District "On-Site Stormwater Management Policy" dated January 9, 1976 and City of Gaithersburg "City Code, Chapter 8, dated April 7, 1983, the Montgomery County Department of Transportation "Interim Storm Drain Design Criteria" dated July 1, 1988 and the NRCS "Pond Standard - Code 378" dated January 2000.

Step 3. c 06-16-08

Design Engineer Signature Stephen E. Crum, P.E. Date # 16905  
Printed Name and Title Registration Number

### Professional Certification

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the laws of the State of Maryland, License No. 16905, Expiration Date: 04-21-10

Stephen J. Crum, P.E. Date

PREPARED FOR  
CHURCHILL DEVELOPMENT CORPORATION  
5 Choke Cherry Road, Suite 360  
Rockville, MD 20850  
PHONE: 240.243.1000  
FAX: 240.243.0715

Mr

# Planning Commission Vistas Update Exhibit #5

C.4.7

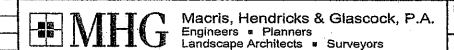
PLAN IS FOR SOIL EROSION &amp; SEDIMENT CONTROL ONLY

SOIL EROSION &amp; SEDIMENT CONTROL PLAN

# SOIL EROSION & SEDIMENT CONTROL PLAN

## QUINCE ORCHARD PARK

Parcels A, B, C - Lots 1-25 - Block P  
Parcels P, Q, R, S, T, U - Lots 118-143 - Block E  
City of Gaithersburg-9th Election District-Montgomery County-MARYLAND

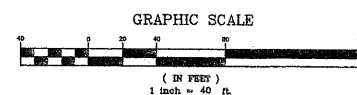


Proj. Mgr. VSB	Designer PGL
Date 06/05/08	Scale 1" = 40'
Project No. 89.157.73	Sheet 1 of 4

Call "Miss Utility" at 1-800-257-7777,  
48 hours prior to the start of work.  
The excavator must notify all public utility companies with underground facilities  
in the area of proposed excavation and have those facilities located by the utility  
companies prior to commencing excavation. The excavator is responsible for  
compliance with requirements of Chapter 36A of the Montgomery County Code.

FENCE NOTE

THE TEMPORARY FENCE AROUND THE SEDIMENT TRAP AND LOCATIONS OF PROPOSED SAND MOUNDS SHALL BE PERMANENT OR SEMIPERMANENT PORTABLE FENCE NOT LESS THAN 42" IN HEIGHT, WITH OPENINGS NO GREATER THAN 2" IN WIDTH AND 4" IN HEIGHT. THIS FENCE SHALL BE FIRMLY ANCHORED WITH POSTS SPACED NO FARTHER APART THAN 8'. IT SHALL BE CONSTRUCTED WITH A MINIMUM 14 GAUGE WELDED WIRE.



A MARYLAND REGISTERED PROFESSIONAL ENGINEER OR ARCHITECT SEAL AND SIGNATURE ON PLANS WILL BE ACCEPTED AS PRIMA FACIE EVIDENCE THAT PLANS ARE IN COMPLIANCE WITH APPLICABLE CODES AND REGULATIONS

CITY OF GAITHERSBURG  
DEPARTMENT OF PUBLIC WORKS,  
PARK MAINTENANCE, AND ENGINEERING

**FINAL APPROVAL**

STORMWATER MANAGEMENT

DATE \_\_\_\_\_ BY \_\_\_\_\_

SEDIMENT CONTROL

DATE 8/7/08 BY James D. Amick

This approval will expire two years from the date of approval.

1	7/13/09	Added Project Phasing Line
NO.	DATE	DESCRIPTION

 **MHG**  
9220 Wightman Road, Suite 120  
Montgomery Village, Maryland  
20886-1279

the one-way loop road design, and of Commissioner Winborne regarding safety measures associated with the steep grades and the stream.

Chair Bauer stressed the need for lot separation and greenspace at fronts of lots. He commented on the initially-submitted unit elevations, noting that brick/masonry is needed on the first floor, and pointed out that units with visual exposure to Emory Grove Road need more architectural emphasis and that finished two-front facades are needed for units on corner locations. Commissioner Winborne noted the rear facades need to be broken up and provide more contrast (e.g., materials, color, window-trim differentiation, etc.). Commissioner Hopkins noted that the highly-visible corner units would need full masonry facades and agreed with Chair Bauer's concern over the siting of abutting driveways, pointing out that flipping the driveways on corner lots would be an improvement, as done with Lots 13 and 14.

Regarding comments relating to safety considerations associated with the steep grades, Commissioner Hopkins did not favor fencing in the rear of the property, questioning its effectiveness. Commissioner Lanier agreed against fencing. The Commission directed staff to research further how best to address the slope along the stream.

Commissioner Lanier moved, seconded by Commissioner Winborne, to grant SP-11-0009 - Habitat for Humanity, PRELIMINARY PLAN APPROVAL, finding it in compliance with Zoning Ordinance §§ 24-170 and 24-171 and Chapter 22 of the City Code, with the following conditions:

1. Applicant is to receive an approved Road Code Waiver prior to the submission of any final site plan application;
2. Applicant is to receive an approved Environmental Waiver prior to the submission of any final site plan application;
3. Applicant is to provide details for any community signage as part of any final site plan application; and
4. Applicant is to receive any necessary access permits from Montgomery County prior site development permits.

Vote: 5-0

AFP-11-020 -- The Vistas at Quince Orchard Park  
Winter Walk/Orchard Ridge Drives  
Amenity Installation/Amend Approval Condition  
AMENDMENT TO CONDITION FOR APPROVAL

MXD Zone

Planning Director Pruss located the property for the 83-dwelling unit project, approved in 2008 with conditions, noting that Churchill Development has requested a revision to Condition 2 of that approval to change the timing for installing the community amenities. Ms. Pruss read the proposed language revision and introduced the applicant.

*Applicant representative Bill Wogatske, Churchill Development Corporation*, stated the reason for the requested change is to allow the installation of the amenities within the phase of construction of the units in which they are to be located. He explained that due to the lender's requirement, the site is now to be developed in two phases rather than one as originally approved. He further explained that most of the amenities are on Phase Two, which is presently not yet graded, noting that Condition 2 has created a hardship in that the construction of units in Phase One cannot progress until the amenities on Phase Two are completed. Mr. Wogatske noted the proposed revision to Condition 2 would allow for the

construction of the amenities in three stages, which he described, and pointed out that neither the plan nor the amenities package have changed.

In response to Chair Bauer, Mr. Wogatske indicated that of 51 under-construction units in Phase One, about 45 are under contract. In response to Vice-Chair Kaufman, Mr. Wogatske noted there is an agreement with the Quince Orchard Park Community Association to share access to this development's amenities and vice versa.

The following was testimony from the public:

*Quince Orchard Park Homeowners Association (HOA) Vice-President Steve Scharf, 206 Winterwalk Drive, voiced his HOA's concern over not having from the applicant a completion date for the final amenities at The Vistas. He noted that the Quince Orchard Park HOA is pursuing annexing The Vistas to the Quince Orchard Park community.*

Planning Director Pruss voiced staff's recommendation for approval, with conditions as listed in the Staff Comments.

Chair Bauer noted that since the Phase Two area is not yet graded, the amenity to be built there would not have safe access, if it were to be built at the time prescribed by the existing Condition 2. However, he pointed out that from a planning perspective, the second phase needs to start by a projected date and suggested a two-year period. He added that if the work is not completed within that period, the City would expect to hear from the applicant for an extension. Mr. Wogatske objected to the time limitation for completion, noting the approved plan did not have one. Chair Bauer pointed out the approved plan did not include phasing and the continuity and integrity of the site plan should be protected. He further noted the phasing scheme introduced for financing purposes is irrelevant to the approved plan. He added, however, that if obstacles for completion were to arise, the applicant must come back to the Commission for a review of an extension.

Planning Director Pruss suggested additional language to address the Commission's comments. Vice-Chair Kaufman agreed to Director Pruss's proposed condition as the burden continues with the developer to implement the approved plan, while granting the applicant a relief due to the economic conditions. Chair Bauer agreed, additionally acknowledging the expectations of the Quince Orchard Park community.

Vice-Chair Kaufman moved, seconded by Commissioner Lanier, to grant AFP-11-020 - The Vistas at Quince Orchard Park, AMENDMENT TO CONDITION OF APPROVAL, finding it in compliance with Zoning Ordinance §§ 24-170 and 24-172A, with the following conditions:

1. Amenity package A (gazebo, Tot Lot 1, Tot Lot 2, and pocket park at Winter Walk and Orchard Ridge Drives) is to be completed prior to the issuance of the 52<sup>nd</sup> permit. Amenity package B (tennis court, picnic pavilion, etc.) is to be completed prior to the issuance of the 72<sup>nd</sup> building permit. Amenity package C (art plaza) is to be completed in conjunction with the adjoining buildings (Lots 125-130 and Lots 131-136);
2. The applicant is to complete the Art in Public Places (AIPP) commitment prior to the release of site development bonds; and



3. All required amenities shall be completed within 24 months of this approval (July 20, 2013) or the applicant is to return to the Planning Commission for further consideration.

Vote: 5-0

V. FROM THE COMMISSION

Commissioner Hopkins

Voiced concern that funding for the Environmental Protection Agency (EPA), Department of Transportation (DOT), and Housing and Urban Development (HUD) programs might be cut or removed entirely. He referenced [www.sustainablecommunities.gov](http://www.sustainablecommunities.gov) for additional information.

Alternate Commissioner Coratola

Relating to the ongoing work with the Land Use Element of the City's Master Plan, Alternate Coratola noted interesting tool kit components to the Master Plan of the city of Frederick, adding that pertinent information is available in their website.

VI. FROM STAFF

Planning Director Pruss

Provided an update on staff's work on the Land Use Plan, noting that this would be tentatively scheduled for discussion on the Commission's September 7, 2011, Meeting Agenda.

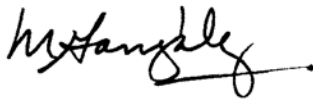
Community Planning Director Schwarz

Announced a joint public hearing with the Council on September 6, 2011, on Text Amendment T-403 and noted the Commission's next regular meetings are on August 3 and September 7.

VII. ADJOURNMENT

There being no further business to come before this session, the meeting was duly adjourned at 9:20 p.m.

Respectfully submitted,



M. Gonzalez  
Recording Secretary